

Appendices

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Appendix A – Acronyms and Glossary

Management Documents/Laws

2005 AA/JM FEIS/ROD	Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses FEIS and ROD
2004 SNFPA FEIS/ROD	Sierra Nevada Forest Plan Amendment
2001 Wilderness Plan	Management Direction for the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses Final EIS and Record of Decision
FSH	Forest Service Handbook
FSM	Forest Service Manual
LRMP	Sierra National Forest Land And Resource Management Plan
NEPA	National Environmental Policy Act
SSWIP	South Sierra Wilderness Implementation Plan

Place names

AA/JM Wildernesses	Ansel Adams and John Muir Wildernesses
CHQ	Chinquapin Analysis Unit
CLO	Clover Analysis Unit
COO	Coyote Analysis Unit
DFC	Dinkey Front Country Analysis Unit
DIL	Dinkey Lakes Analysis Unit
DLW	Dinkey Lakes Wilderness
EDI	Edison Analysis Unit
FLO	Florence Analysis Unit
HEL	Helms Analysis Unit
HNE	East Huntington Analysis Unit
HNW	West Huntington Analysis Unit
JMT	John Muir Trail
KAI	Kaiser Analysis Unit
MWSR	Merced Wild and Scenic River
NED	Nelder Analysis Unit
NEL	Nelson Analysis Unit
PCT	Pacific Crest Trail
SEKI	Sequoia and Kings Canyon National Parks

TUL	Tule Meadow Analysis Unit
WIS	Wishon Analysis Unit
YOSE	Yosemite National Park

Agencies and Organizations

CVRWQCB	Central Valley Regional Water Quality Control Board
EPA	Environmental Protection Agency
OWCP	Office of Workers' Compensation Programs
SNF	Sierra National Forest
USFS	United States Forest Service

Pack Stations

CPO	Clyde Pack Outfitters
D&F	D&F Pack Station
HSPS	High Sierra Pack Station
LVPS	Lost Valley Pack Station
MTR	Muir Trail Ranch/Florence Lake Resort
MPS	Minarets Pack Station
YTPS	Yosemite Trails Pack Station

Other Acronyms Used

AM	Animal Months
APE	Area of Potential Effect
AU	Analysis Unit
BMP	Best Management Practice
DM	Decision Memo
EIS	Environmental Impact Statement
FAR	Functional At Risk (applies to streams, lakes and wetlands that are not at PFC)
GFA	General Forest Area
HDRA	High Density Recreation Areas
HPMP	Historic Property Management Plan
IDT	Interdisciplinary Team
NF	Non-Functional
NFS	National Forest System lands

NVUM	National Visitor Use Monitoring
OHV	Off-Highway Vehicles
PA	Programmatic Agreement
PFC	Proper Functioning Condition (applies to streams, lakes, or wetlands)
PNC	Potential Natural Community (applies to Greenline plant communities that have achieved their potential species composition)
RCA	Riparian Conservation Area
RCO	Riparian Conservation Objective
ROS	Recreation Opportunity Spectrum
RVD	Recreation Visitor Day
S&G	Land Management Plan Standard and Guideline

Glossary

Allowable Use: The degree of utilization considered desirable and attainable on various specific parts of a grazing area or zone considering the present resource condition, management objectives, and management level.

Antidegradation Policy (Water Quality): An objective in the Central Valley Regional Water Quality Control Board Basin Plans (2004a, 2004b). It requires that wherever the existing quality of water is better than the quality of water established in the Basin Plan as objectives, the existing quality shall be maintained.

Area of Potential Effect (APE): The geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking (36 CFR 800.16[d]).

Assigned site: Upon request, a designated camp may be identified as an “assigned site” as described by Forest Service policy. Assigned sites are reserved for the exclusive use of a single operator. These sites are subject to a reserved site fee (as specified in Forest Service Handbook Chapter 2709.11, Section 37.21 (h)).

Beneficial uses: The natural and human uses of surface water defined in the Water Quality Control Board Basin Plans. These beneficial uses must be maintained and water quality objectives and best management practices (BMPs) are designed to protect beneficial uses.

Best Management Practices (BMP): A practice or combination of practices that are the most effective and practical means of preventing or reducing water pollution from non-point sources.

Biological Assessment: A “Biological Evaluation” specifically prepared for formal consultation with the U. S. Fish and Wildlife Service when a “May Affect” determination is concluded for a project on any Federally listed Threatened or Endangered Species per the legal requirements found in Section 7 of the Federal Endangered Species Act of 1976 as amended.

Biological Evaluation: A documented Forest Service review of Forest Service programs or activities in sufficient detail to determine how an action or proposed action may affect any Federally listed threatened, endangered, or proposed species, or Forest Service sensitive species (Forest Service Manual 2670).

California Natural Diversity Database: CNDDDB is a program of the California Department of Fish and Game that inventories the status and locations of rare plants and animals in California. More information at: www.dfg.ca.gov/whdab/html/cnddb.html.

California Wildlife Habitat Relationship: is a state-of-the-art information system for California's wildlife. CWHR contains life history, geographic range, habitat relationships, and management information on 692 species of amphibians, reptiles, birds, and mammals known to occur in the state.

Candidate Species: Plant and animal taxa considered for possible addition to the Federal list of Endangered and Threatened Species. These are taxa for which the U. S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threat(s) to support issuance of a proposal to list, but issuance of a proposed rule is currently precluded by higher priority listing actions.

Carrying Capacity: The maximum stocking rate possible without damaging vegetation or related resources. May vary from year-to-year on the same area due to fluctuating forage production.

Cattle Drive: Clients ride along with operator when they herd cattle to their cattle allotments on National Forest Land. Necessitates operator also hold a Forest Service grazing permit for cattle and that driving cattle over the route is included in that authorization.

Composition: The relative amount (usually percent) of one plant species or one community type in relation to other species or community types in a given area.

Consultation: The process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process. The Secretary's *Standards and Guidelines for Federal Agency Preservation Programs* provide further guidance (36 CFR 800.16[f]).

Consultation also takes place between federally recognized American Indian Tribes, groups, organizations, and individuals under Section 106 and a suite of other laws and executive orders. It is also a process used to determine whether a proposed action may affect listed species or critical habitat.

Council: The Advisory Council on Historic Preservation or a Council member or employee designated to act for the Council (36 CFR 800.16[g]).

Critical Area: An area that is evaluated separately from the remainder of the management zone because it contains special or unique values. Critical areas may be treated with special consideration due to inherent site factors, including size, location, condition, values, or significant potential conflict among uses. Critical areas in this analysis are unsuitable for stock entry, although some inadvertent negligible entry occurs.

Daily Trailhead Quota: Number of people allotted to each trailhead/entry point into the wilderness on a daily basis.

Day Rides: Day rides involve clients riding stock, accompanied by a guide, for periods of a day or less. No overnight equipment is involved.

Designated Stock Camps: Camp designated on-the-ground where commercial pack stock can be held overnight.

Destination Management: A management system that defines “destination zones” to contain recreation impacts.

Destination Quota: Number of trips allotted to a specific destination zone.

Dunnage Trips: Trips in which packers using pack stock carry equipment and supplies for clients who are hiking to a pre-arranged destination, and/or pre-arranged re-supplies for clients on long duration trips. The packer does not stay with clients.

Ecological (Seral) Status: The present state of vegetation of an ecological site in relation to the potential natural community for the site. Ecological status is independent of use. It is an expression of the relative degree to which the kinds, proportions, and amounts of plants in a community resemble that of the potential natural community. The four ecological status classes correspond to 0-25, 26-50, 51-75, and 76-100 percent similarity to the potential natural community and are called early-seral, mid-seral, late-seral, and potential natural community, respectively.

Effect: (heritage resources) Alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register (36 CFR 800.16[i]).

Endangered Species: A Federally listed species which in danger of extinction throughout all or a significant portion of its range.

FAR: Functional at Risk Proper Functioning Condition rating, should include a trend indicator (upward, downward, or not apparent).

Fen: A type of wetland or riparian plant community where peat (undecomposed/partially decomposed plant material) accumulates faster than it decomposes in groundwater-fed, perennially saturated areas. Peat soils must be deeper than 40 cm to constitute a fen, such that

the roots of plants present are completely rooted within the peat rather than the underlying mineral soil.

Full Service Trips: Full service trips involve a guide, cook, or other paid employees of the operator that accompany the clients for the duration of the trip. The full time packer or packers that stay with the party during the duration of the trip handle stock for the riders including saddling, packing the mules, trip planning, animal care, equipment repairs, safety briefings, and possibly trail work to clear trails of debris or obstacles.

Grazing Zone: An identified area of land in which grazing may be authorized.

Headcut: A break in slope at the top of a gully or section of gully that forms a “waterfall,” which in turn causes the underlying soil to erode and the gully to extend uphill. This scarp may migrate upstream (headward), leading to stream incision. In high elevation Sierra Nevada Meadows, these headcuts can migrate into trails or natural swales, creating new stream channels.

Historic Property: Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria. The term eligible for inclusion in the National Register includes both properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria. (36 CFR 800.16[I]).

Hydrologic Function (meadows and wetlands): Meadow hydrologic function is defined by the following factors: (1) The ability of the soil in a meadow to withstand intake, retain and transmit water (USDA Forest Service, 1995); (2) The ability of the meadow to dissipate energies associated with overland flow from adjacent sites and to improve flood water retention; and (3) The ability of the meadow to maintain a water table capable of supporting its Potential Natural Vegetation (PNV). PNV is defined as the plant community that would become established if all successional sequences were completed without human interference under the present environmental and floristic conditions, including those created by man.

Informal consultation: An optional process that includes all discussions and correspondence between the U.S. Fish and Wildlife Service and a Federal agency, prior to formal consultation, to determine whether a proposed Federal action may affect listed species or critical habitat. This process allows the Federal agency to utilize the Service’s expertise to evaluate the agency’s assessment of potential effects or to suggest possible modifications to the proposed action which could avoid potentially adverse effects. If a proposed Federal action may affect a listed species or designated critical habitat, a “Letter of Concurrence” can be requested from the U.S. Fish and Wildlife Service instead of pursuing formal consultation where a “Biological Opinion” is rendered.

Interdisciplinary Team (IDT): A team of varied land use and resource specialists formed to provide a coordinated, integrated information base for overall land use planning and management.

Invasive species: non-native plant or animal species that tend to multiply and spread rapidly, competing with native species for resources, and causing ecological and economic damage to wildlands.

Key Area: A portion of rangeland selected because of its location, grazing or browsing value, or use. It serves as a monitoring and evaluation point for range condition, trend, or degree of grazing use.

Management Indicator Species (MIS): A wildlife species whose population and trend in a certain habitat type indicates the population and trend of other species that are also dependent on that habitat type.

Minimum Requirement Decision Guide Analysis: Analysis to ensure that a project in wilderness meets the intent of the Wilderness Act. Typical projects include trail construction, removal of old airplanes or mining equipment, etc.

National Register: The National Register of Historic Places maintained by the Secretary of the Interior (36 CFR 800.16[q]). This is a list of historic properties.

National Register Criteria: The criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register (36 CFR part 60). (36 CFR 800.16[r])

Not Recommended For Stock (NRFS): An advisory for private equestrians that the conditions of a particular trail may be notably awkward and/or especially risky for use by pack and saddle stock.

Not Suitable For Commercial Stock (NSCS): (See Trail Suitability)

Pathogen: An agent that causes disease, especially a living microorganism such as a bacterium, protozoa, or fungus.

Periodic Monitoring: Frequency of use as determined in the Monitoring Plan documented in the Record of Decision.

PFC (Proper Functioning Condition): Protocol for assessing stream conditions. A stream is at proper functioning condition if it has adequate vegetative, landform or large woody debris present to dissipate stream energy associated with high water flow, filter sediment and aid floodplain development, improve flood water retention and groundwater recharge, develop root masses to stabilize banks against erosion, provide diverse habitat, and support biodiversity.

PNC (Potential Natural Community): The biotic community that would be established if all successional sequences of its ecosystem were completed without additional human-caused disturbance under present environmental conditions. Grazing by native fauna, natural disturbances, such as drought, floods, fire, insects, and disease, are inherent in the development of potential natural communities which may include naturalized exotic species.

Programmatic Agreement: A document that records the terms and conditions agreed upon to resolve the potential adverse effects of a Federal agency program, complex undertaking or other situations (36 CFR 800.16[T]).

Range Readiness: The state of relative soil dryness and plant development in a location at which soils will support the weight and movement of livestock without being displaced, compacted or otherwise damaged and the stage of plant development at which the plants will sustain grazing impacts without loss of vigor or productivity. Rangeland is generally ready for grazing when soil has become firm after winter and early spring precipitation, and when plants have reached the defined stage of growth at which grazing may begin under a specific management plan without long-lasting damage.

Rare Plants: Plant species listed as Sensitive or Watch List on the Sierra National Forest. Usually these are species tracked by one or more of the following: California Native Plant Society Rare Plant Inventory, California Natural Diversity Database, or USDI Fish and Wildlife Service.

Recreation Category: Refers to the strategy for managing recreation use in the Ansel Adams, John Muir and Dinkey Lakes Wildernesses. Three recreation categories describe the desired condition for these wildernesses. Recreation Category 1 is to be managed for low use and the most pristine conditions. Recreation Category 2 is for concentrated use along trail corridors and at popular destinations and dispersed use at low to moderate levels off the main trail corridors. Recreation Category 3 is for higher levels of use concentrated and managed intensively; these are typically popular destinations close to the trailheads. A full description of these categories can be found in the 2001 Wilderness Plan for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses.

Resource Ratings or Overall Resource Rating (Trails): Refers to numerical rating assigned to a trail segment after field evaluation of current impacts and potential effects due to risk factors. Ratings are on a scale of 0-5, with 0 representing very low concern, highly stable with no notable effects; while a rating of 5 indicates severe/extensive concerns with severe resource impacts and high risk factors. Further definitions of each rating are in the project record.

Riparian: Referring to or relating to areas adjacent to water or influenced by free water associated with streams or rivers.

Riparian Conservation Area (RCA): Areas adjacent to water bodies and wetlands and have specific standards and guidelines established in the Sierra Nevada Forest Plan Amendment. These areas are usually defined as the area within 300 feet of a perennial stream, spring, or wetland, and within 150 feet of an ephemeral or intermittent stream.

Risk Factors (Trails): Refers to conditions on the ground—usually naturally occurring—which potentially affect the stability of the trail and associated resources. Common risk factors include exceedingly steep slopes, loose soils, riparian or meadow habitat, proximity and connectivity to streams or surface water. Other risk factors have a human component, such as excessively steep trail grades, insufficient design and lack of structures, or high trail use.

Sedimentation: The process of depositing sediment. Here, the term indicates sediment deposition into surface water.

Sensitive Species: Those plant and animal species identified by the Regional Forester for which population viability is a concern as evidenced by: 1) significant current or predicted downward trends in population numbers or density and 2) significant current or predicted downward trends in habitat capability that would reduce a species existing distribution.

Seral-status: Plant community stage depicting the relative position on a classical successional pathway (see Ecological Status).

Service Day: A commercial client on National Forest land for any part of a day.

Sod fragmentation: Broken vegetative cover or soil. Minor sod fragmentation might remove some vegetation, while severe sod fragmentation would break the soil to the rooting depth of vegetation.

Soil compaction: An increase in the density of soil, usually as a result of humans or animals walking on the soil surface. Compaction alters the soil structure so that it has less pore space, lower infiltration rates, and lower permeability.

Soil productivity: The capacity of soil to support plant growth. Soil productivity depends on soil nutrient levels, soil structure, climate, and water availability.

Special Aquatic Feature: Water-related features other than streams or rivers, including lakes, wet meadows, fens, wetlands, vernal pools and springs (as defined in the SNFPA 2004).

Spot Trip: Trips in which clients ride stock to a destination with a guide, supported with pack stock for equipment and gear. The riding stock, pack stock and guide do not stay with the party.

Stabilizer Plants: Plant species that become established along edges of streams. Although they generally require wet conditions for establishment they may persist in drier conditions once firmly established. They commonly have some combination of strong, cord-like, rhizomes, deep fibrous roots, coarse leaves, strong root crowns, and are effective in buffering streambanks against the erosive forces of moving water and trapping sediment to build stream banks. Examples include sedges (*Carex utriculata*, *Carex nebrascensis*) and willow (*Salix spp.*).

State Historic Preservation Officer (SHPO): The official appointed or designated pursuant to section 101(b)(1) of the National Historic Preservation Act to administer the State historic preservation program or a representative designated to act for the State historic preservation officer (36CFR 800.17[V]).

Stock Night: One horse or mule placed on a unit of land for the purpose of grazing available forage at any time during a 24-hour period. Expressed as a stock night because packers often place stock on a given grazing area overnight.

Stocking Rate: The number and types of animals placed on a unit of land for a specified period of time.

Stream bank sloughing: When a stream bank breaks vertically, and a portion of the bank falls into the stream. This process can occur naturally on outer bends of normally eroding streams, or can occur as a result of stream bank trampling, vegetation loss, and soil compaction along the stream bank.

Stream incision: Erosion of either the stream bed or banks or both, where the stream is vertically separated from the former floodplain due to stream bed lowering. Where there is active erosion within the bed of a stream or river channel, the bed may be steadily lowered, creating relatively higher banks up onto the adjoining floodplain or terrace. The banks become increasingly steepened and unstable as this erosion is active at the toe of the slope. Streambed collapse and erosion occurs, and the channel commonly widens in conjunction with bed lowering.

Suitability: The appropriateness of applying certain resource management practices to a particular area of land as determined by an analysis of the economic and environmental consequences and alternative uses foregone.

Suitable Area: An area in which an interdisciplinary team has determined that grazing and or stock entry may be allowed with appropriate mitigations and standards.

System Trail: Trails that are wholly or partially within, or adjacent to and serving the National Forests, and that are included in the forest development transportation plan (Forest trail inventory).

Threatened Species: A Federally listed species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Trail Classes: A designation assigned to each trail on the Forest trail inventory that defines the typical characteristics and intended development and management levels for each trail. Four classes are appropriate within wilderness areas. Trail Class 1 trails are the lowest development and typically the most lightly used managed trails. Trail Class 2 and 3 trails are increasingly developed on a continuum leading to Trail Class 4 trails, which are the most highly developed and typically serve extremely high numbers of trail users. These are further described in Chapter 2 of this document.

Trail Deferred Maintenance (Sometimes called “Backlog Maintenance): Maintenance that has not been performed—generally due to financial constraints—which leaves the trail in a substandard or degraded condition. Commonly refers to the added costs needed to return the trail to its intended standard.

Trail Maintenance (also Annual Maintenance): Recurring work performed to ensure the continued stability and availability of trails for use at the designated standard. May be performed annually or at intervals more frequent or exceeding annual. Typically includes clearing of obstacles, cleaning drainage structures, incidental repair and replacement of trail structures to ensure trail integrity and stability.

Trail Reconstruction: Major repairs and replacement of much of a trail's infrastructure, to return a trail to its original standard or to improve a trail to its intended development level.

Trail Suitability: A determination of the appropriateness of commercial stock on individual system trails. This determination is based upon one or a combination of factors including the stability of the trail and associated resources, the presence of risk factors which would likely lead to instability without excessive trail development, considerations of destination capability, and desired conditions. Trails which are determined to be inappropriate for such use are designated "Not Suitable for Commercial Stock" (NSCS).

Unavailable Areas: Areas that are outside of grazing zones and are therefore closed to grazing.

Unsuitable Area: An area in which an interdisciplinary team has determined it is not appropriate for grazing or entry by any stock. All of these areas are closed to grazing.

Use Allocation: Amount of use allowed under a special use permit. Typically measured in Service Days, Trips, and/or Clients but may use any increment that is appropriate for the use. May also have timeframes such as daily, monthly, and/or annually.

Use Trail: A non-system trail (not on Forest trail inventory), either distinct and readily followed or intermittent, which provides access to destinations such as campsites, viewpoints, or areas not served by system trails. Use trails are most commonly formed by repeated travel by either hikers or equestrians. This can also refer to former trails or roads, of which use has decreased to the point that no management as a system trail is needed.

Watch List Plants: Species that are locally rare, are of special interest (such as certain lilies or orchids), are widely disjunct from the main distribution of the species, are largely endemic to the Forest, or species about which little is known but existing information may indicate some cause for concern.

Water Table (or Groundwater Table): The top surface of the zone where the soil is saturated with water. Above this surface, the pore space in the soil is filled mainly with air.

Weeds: Plants non-native to California, as listed in the Jepson Manual (Hickman, 1993).

Wetlands: Those areas that are inundated by surface or ground water with frequency sufficient to support, and under normal circumstances do or would support a prevalence of vegetation or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Generally includes swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flat, and natural ponds.

** Grazing and rangeland related definitions are adapted for this project from the Glossary in the Rangeland Analysis and Planning Guide, (USFS, Pacific Southwest Region, 1997), and the additional Glossary contained in Chapter 3, Sampling Vegetation Attributes, Interagency Technical Reference, ITR, BLM/RSD/ST-96/002+1730, in the Rangeland and Analysis Guide, and "Monitoring the Vegetation resources in Riparian Areas" by Alma H. Winward (April, 2002).*

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Appendix B - Detailed Description of Current Permit Authorizations

All information is taken from the Current Special Use Permit.

1. Clyde Pack Outfitters (CPO)

CPO uses stock (horses and mules) to pack clients into camps in the Dinkey Lakes and John Muir Wildernesses. They provide spot, dunnage and full service overnight trips. They also provide day ride services consisting of one hour, two hour, half day, and full day rides. The operation consists of one headquarters, three spike stations, and a day ride station

Pole Corral Creek Headquarters is the contact point for clients. Pack animals are corralled here and at the Dinkey Creek Station. Limited housing/camping is provided for clients and staff. Pole Corral Headquarters may be used to provide half-day trips to the Cliff Camp area.

Dinkey Creek Station functions as a departure and arrival point for day rides (one hour, two hour, half day, and full day rides). One and two hour trips are along trails and roads in the vicinity of the Station. Half day trips follow designated trails that follow Dinkey Creek to the Strawberry Creek Junction or Rock Creek Junction. Full day trips go to Dinkey Creek Crossing in the Muley Hole area.

Spike stations serve as departure and arrival points for most trips. Overnighting of stock at spike stations will be kept at a minimum. Employees or clients are not allowed to spend the night at spike stations. Trips to Dinkey Lakes Wilderness depart from Cliff Lake Trailhead spike station. Trips to the portion of the John Muir Wilderness east of Courtright Lake depart from Maxon Trailhead spike station. Trips to the portion of the John Muir Wilderness east of Wishon depart from Woodchuck Trailhead spike station.

CPO is not authorized to keep stock overnight in the Dinkey Lakes Basin. Other than that restriction, CPO is permitted to conduct incidental grazing in the Dinkey Lakes wilderness.

Facilities and Services Authorized (entire permit covers 18.7+/- acres)

Authorized Services

1. All outfitter-guide packing services
2. Saddle and/or pack stock rental by hour, day, or week
3. Overnight accommodations for guests using packing services
4. Meals for guests using packing services
5. Guided trail rides of one day or less duration

CPO Dinkey Creek Site (5.7 acres; T10S R26E NE ¼ SE ¼ Section 17)

Authorized Facilities

1. Manager's residence building
2. Two employee sleeping cabins
3. One bathhouse/laundry building
4. Two storage cabins
5. One pumphouse and water system
6. Two tack buildings
7. One corral complex with loading chute
8. One entrance sign and gate
9. One mailbox
10. One campfire circle/barbecue pit
11. Hitching rails
12. Parking area
13. Feed storage area

CPO Pole Coral Headquarters (5.6 acres; T11S R27E NE ¼ SE ¼ Section 3)

Authorized Facilities

1. Office/cookhouse building
2. Crew barracks/bathhouse
3. Three employee trailer spaces
4. Two tack buildings
5. One tack repair building
6. One corral complex with feeders and water trough
7. One fenced pasture
8. One entrance sign and gate
9. One campfire circle/barbeque circle
10. One water system and storage tank
11. Fuel storage area
12. Boardwalk between buildings
13. Two loading platforms
14. Feed storage area
15. Hitching rails
16. Sixteen guest parking spaces
17. Seven employee parking spaces
18. Guest camping area with 2 fire pits and 2 tables
19. Fenced utility complex and garbage collection area
20. Equipment storage area

CPO Woodchuck Trailhead Spike Station (3.4 acres; T11S R28E SE ¼ NW ¼ Section 7)

Authorized Facilities

1. One entrance sign and gate
2. One corral complex with feeders and water trough
3. Feed and water storage area
4. One small storage shed
5. One loading dock and hitching rail
6. Guest parking area
7. Water system

Maxson Trailhead Spike Station (1.9 acres; T10S R28E SW ¼ SE ¼ Section 6)

Authorized Facilities

1. One 100' x 100' temporary corral with feeder and water trough
2. Two hitching rails and loading docks
3. One entrance sign and gate
4. One feed and water storage area
5. Water system

Cliff Lake Trailhead Spike Station (2.1 acres; T9S R27E SW ¼ Section 36)

Authorized Facilities

1. One entrance sign and gate
2. One corral complex with feeders and water troughs
3. Water and feed storage tanks
4. Water system
5. One loading dock

2. D&F Pack Station (D&F)

D&F Pack Station uses stock (horses and burros) to provide spot, dunnage and full service overnight trips in to camps in the Dinkey Lakes, Kaiser, John Muir, and Ansel Adams Wildernesses. They also provide day ride services consisting of one hour, two hour, half day, and full day rides from its headquarters to and along Huntington Lake, and day rides north of its headquarters. The operation consists of one headquarters and two spike stations. D&F has facilities, corrals, and trailheads in the vicinity of Huntington Lake and Florence Lake; and a spike camp near Edison Lake.

Headquarters – Huntington Lake
Badger Flat and Edison Spike Stations

D&F Pack Station is not permitted to hold stock overnight in the Dinkey Lakes Basin. Other than that restriction, D&F Pack Station is permitted to conduct grazing in the wilderness that is incidental to operations.

Facilities and Services Authorized (entire permit covers 8+/- acres)

Authorized Activities:

1. Outfitting and Guiding
2. Horseback Riding

D&F Main Pack Station - Base Camp

Authorized facilities

- | | |
|--------------------------------|-------------------------|
| 1. Office with living quarters | 8. Loading chute |
| 2. Cabins (3) | 9. Corrals (10) |
| 3. Kitchen and dining room | 10. Hitch racks |
| 4. Washroom | 11. Propane tanks |
| 5. Storerooms (2) | 12. Bunk house |
| 6. Shoeing shed | 13. Water supply system |
| 7. Tackrooms (2) | |

D&F Badger- Spike Station

Authorized facilities

- | | |
|------------------|----------------------|
| 1. Tackroom | 5. Pack deck |
| 2. Bunkrooms (2) | 6. Hitch rack Corral |
| 3. Kitchen | 7. Water Line |
| 4. Shower | |

D&F Edison-Spike Station

Authorized facilities

1. Trailer
2. Pack deck
3. Corrals (2)
4. Hitch racks
5. Water system

3. High Sierra Pack Station (HSPS)

High Sierra Pack Station uses stock (horses and mules) to provide day rides, full service overnight trips, and spot and dunnage trips. They are authorized to use the Dinkey Lakes, Kaiser, John Muir, and Ansel Adams Wildernesses. Trips outside of the normal operating area can be approved upon request. High Sierra Pack Station is authorized to use the Dinkey Lakes, John Muir, and Ansel Adams wildernesses. The operation

consists of one headquarters and one spike station. They have trailheads and corrals in the vicinity of Edison and Florence Lakes.

Facilities and Services Authorized (entire permit covers 9+/- acres)

Authorized Activities:

1. Outfitting and Guiding
2. Horseback Riding

HSPS Main Pack Station - Base Camp

Authorized facilities

- | | |
|--|---------------------------------|
| 1. Office and living quarters for owner-operator | 9. Laundry house |
| 2. Cookhouse | 10. Shoeing platform |
| 3. Cook's living quarters | 11. Landing docks (2) |
| 4. Bunkhouse | 12. Landing platform |
| 5. Tack sheds | 13. Corrals |
| 6. Generator and toolshed | 14. 500 gallon diesel fuel tank |
| 7. Leather repair shop | 15. 500 gallon gas fuel tank |
| 8. Auto maintenance shop | 16. 12 KW portable generator. |
| | 17. Water system |

HSPS Florence Lake Spike Station:

Authorized facilities

1. Office and living quarters
2. Shower house
3. Landing dock
4. Corrals

4. Lost Valley Pack Station (LVPS)

Lost Valley Pack Station consists of one base camp on National Forest land. They conduct outfitting and guiding services consisting of spot dunnage and full service overnight trips. Stock is used in connection with stock rental and spot pack trips for parties traveling in the John Muir Wilderness and Kings Canyon National Park. Stock will be quartered at the pack station headquarters at Florence Lake or at the permit holder's private property in Blayne Meadow.

Authorized Activities:

1. Outfitting and Guiding
2. Horseback Riding

Facilities and Services Authorized (entire permit covers .25+/- acres)

Lost Valley Headquarters at Florence Lake

Authorized facilities

1. A-frame cabin
2. Storage shed
3. Corral
4. Water tank

5. Muir Trail Ranch (MTR)

The Muir Trail Ranch and the Florence Lake Resort are owned and operated by the same entity. Muir Trail Ranch is authorized under an Outfitter and Guide permit for use in the John Muir Wilderness to conduct outfitting and guiding and provide day ride services on National Forest system land. No assigned sites are authorized under this permit. All operations are based from the permit holder's private property in Blayney Meadow.

Facilities and Services Authorized (entire permit covers 8+/- acres)

Florence Lake Resort

The Muir Trail Ranch and the Florence Lake Resort are owned and operated by the same entity. Florence Lake Resort is authorized under a term Resort Permit, authorized facilities include:

Authorized facilities

- | | |
|---------------------------------------|---|
| 1. Store with attached generator shed | 8. Two above ground gasoline storage tanks (1000 gallon each with secondary containment structures) |
| 2. Residence | 9. Wooden fence around gasoline storage tanks |
| 3. Boathouse | 10. 2000 gallon water tank |
| 4. Dock | 11. Two parking areas |
| 5. Ferry boatshed | 12. Boat landing |
| 6. Entrance road | 13. Storage shed |
| 7. Gate at beginning of entrance road | |

6. Minarets Pack Station (MPS)

Minarets Pack Station is authorized to maintain a pack station operation, outfitter and guiding, store, restaurant, entrance sign, lodge, barracks, corrals, water system, and associated facilities. This permit also covers outfitting and guiding on the Sierra National Forest lands including the Ansel Adams Wilderness. The headquarters facilities are located at Miller Meadow.

Facilities and Services Authorized (entire permit covers 17+/- acres)

Authorized Activities:

1. Outfitting and Guiding
2. Horseback Riding
3. Overnight Camping

MPS Miller Meadow Headquarters

Authorized facilities

- | | |
|--|---------------------------------|
| 1. Lodge (two stories) | 9. Communication Line and Tower |
| 2. Propane generator | 10. Septic System |
| 3. Water system: electric pump, two tanks (1000 gallon rubber tank and 800 gallon metal tank), three troughs (two 250 gallon and one 50 gallon trough) | 11. Campground (15 sites) |
| 4. Bunk house | 12. Shower House |
| 5. Propane tanks | 13. Well |
| 6. Generators and Shelter for generators | 14. Tack sheds |
| 7. Corrals | 15. Associate Roads |
| 8. Waterline | 16. Loading ramp |

7. Yosemite Trails Pack Station (YTPS)

Yosemite Trails Pack Station uses stock to provide 1 and 2 hour rides; full and half day rides; full service overnight trips; spot and dunnage trips. They are authorized to use the Ansel Adams Wilderness. Trips outside of the normal operating area can be approved upon request. The operation consists of one headquarters.

Facilities and Services Authorized (entire permit covers 7.7 acres)

Authorized Activities:

1. Outfitting and Guiding
2. Horseback Riding

YTPS Jackson Road Headquarters

Authorized Facilities

- | | |
|--|---|
| 1. Upper corrals (loading chute, corrals, round pen) | 16. Wrangler's quarters |
| 2. Middle corrals (riding arenas, round pen) | 17. Bunkhouse |
| 3. Office/kitchen | 18. Water tanks |
| 4. Caretaker/owner trailer | 19. Semi trailer (truck box) |
| 5. Septic system | 20. Tack room |
| 6. Utilities | 21. Storage shed |
| 7. Tent sites | 22. Wire fence |
| 8. Storage shed & generator | 23. Pole fence |
| 9. Barbecue area (tables, campfire pit, etc) | 24. Use of Road 6S07 |
| 10. Parking area | 25. Tent sites for staff |
| 11. Pond | 26. Ticket booth |
| 12. Cook's trailer | 27. Saddling paddocks |
| 13. Public rest room | 28. Four signs on Jackson Rd ("Slow Wagon On Road", "Horseback Riding 1 Mile" at green gate, "Horseback Riding 500 ft", "Horse Crossing") |
| 14. Shower | 29. Gate on Jackson Road (Rd 6S07) |
| 15. Sleeping platform | 30. Sign on State Route 41 |

Appendix C – Summary: 2005 Pack Stock Management EIS/ROD Direction

This appendix provides a selected synopsis of some of the more pertinent direction applicable to commercial pack stock operations contained in the existing Sierra NF LRMP as amended. It is intended for quick reference only and is not a complete listing of all the relevant management direction. In general the direction below would be included in the Special Use Permit or Annual Operating Plan where it applies to a specific pack station. LRMP direction would be common to all alternatives. Refer to the LRMP as amended for all-inclusive direction. Pertinent amendments to the 1991 Sierra National Forest LRMP include the 2001 Wilderness Plan for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses and the 2005 Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses.

Ansel Adam and John Muir Wildernesses

The direction and references below are from *Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses* (2005).

Direction Common to all Pack Stations

Day Rides {pg. II-18 & Table 2.33, pg II-174}

Day rides will be limited in locations where there are resource concerns or potential or known user conflicts. In all other locations day rides are identified and limited by the location and type of ride and the number of guest horses available for these rides.

The Forest Service will emphasize opportunities outside wilderness to allow expansion of day ride business.

Overnight Use {pg. II-18}

Use will be controlled by seasonal destination quotas, maximum stock at one time in the wilderness, designated stock camps, party size limitations, and trail suitability determinations.

Quota {pg. II-18; Table 2.31, pg. II-154}

Destination quotas are the method of limiting and distributing commercial pack stock use. These quotas are estimates of use for commercial stock operators to meet the desired resource and experiential condition of the area, considering the recreation category and the resource capacity of the destination. Quotas are placed on the number and type of trips per season:

- Spot and dunnage type trips have quotas on each destination, for each operator (see tables in section below for each pack station)
- In addition, each operator has a set number of all expense and traveling type trips (see section below for each pack station).

The following describes how various pack station trips will be accounted for in the destination quota system:

- For spot and dunnage, a trip is defined as a one-way service.
- A one-way spot trip will count for one trip.
- Trips that hold stock in the backcountry overnight in conjunction with an all expense, traveling or base camp type service are considered “all expense” for the purposes of the quotas. A trip that involves services (such as a cook or camp tender and wrangler) throughout the duration of a client’s trip is considered an all expense trip. All expense trips have a specific quota that cannot be exchanged or otherwise counted as a spot and dunnage trip. Each operator is authorized a specific number of all expense trips. All expense trips will be further regulated by the designated site requirement and allowable grazing constraints.

Destination quotas will not be adjusted (lowered) based on lack of use. They can be lowered based on future assessments of capacity or resource conditions. Quotas are designed to accommodate fluctuations at various destinations over the years. There will be no borrowing, trading or otherwise sharing the destination quota assigned to an operator.

Any use identified for travel into or through the adjacent National Parks (Yosemite National Park, Devils Postpile National Monument and Sequoia/Kings Canyon National Park) will comply with authorizations or use level limitations by the National Parks.

Wilderness permits are required for all parties and commercial pack stock operators will obtain the proper wilderness permits from the Forest Service (or its contractor). Tally sheets for reporting the service will continue to be required. Each day of use will be recorded for all expense and traveling trips to improve monitoring of use and conditions.

In cases of administrative use, including approved research permits, support of functions such as search and rescue, tribal walks, the authorizing officer can allow use of areas previously unidentified as a destination. This is on a case-by-case basis, and is not considered a reoccurring use.

Use of areas not identified by destinations for hunting activities will be subject to case-by-case approval similar to that described above for administrative use. Hunting areas will change based on availability of State Game tags and are typically low use and minimal impact activities.

Primary Operating Areas (pg II-20)

Specific primary operating areas are not assigned. The assignment of destination quotas provides delineation of pack station operations.

Party Size {pg. II-20; Table 2.8, pg. II-21}

Party size for commercial pack stock parties is 15 persons and 25 stock wilderness-wide. In 14 site specific locations the party size varies, based on the physical capacity, setting and management objectives for the area.

Stock Numbers {pg. II-21, Table 2.9}

Commercial pack stock operators are subject to a maximum number of stock in the wilderness at one time to limit temporal spikes and address overcrowding.

Grazing Strategy {pg II-22; Table 2.30, pg. 115}

Grazing is to be managed in “grazing zones” that include one or more meadows and their surroundings. Grazing is only allowed within these identified grazing zones.

No stock entry or use will be allowed in areas identified as critical or unsuitable. The stock user is expected to manage stock to avoid stock entry. Operators planning on using meadows with identified critical areas, must describe the techniques they plan to use to avoid entry. This must be approved in the annual operating plans.

An overall estimate of stock nights was assigned to each grazing zone and key areas within the grazing zones. The estimated stock nights are intended as a pre-season trip planning guide to be used during annual operating plan development. Operators will not be allowed to schedule itineraries that intentionally exceed stocking rates. Specific allocations and grazing terms and conditions will be approved in the annual operating plan.

Drift Fences {pg. II-23; Table 2.34, pg. II-179}**System Trails** {pg. II-24; Table 2.26, pg. II-73}

Trails designated as “Not Suitable for Commercial Stock” (NSCS) are closed to commercial stock use. There are 89 miles of system trails designated as NSCS.

Use Trails and Routes {pg. II-24; Table 2.27, pg. II-100}

All commercial pack stock use off existing system trails must be approved by the Forest Service.

Campsite access trails that are directly associated with designated commercial pack stock camps (Table 2.32) are approved as an inherent part of the designation of stock camps and are generally not addressed as “use trails.”

Mitigation of resource impacts and maintenance is the responsibility of the operator and will be managed through annual operating plans.

Trails accessing spot and dunnage campsite or drop off locations, will be managed through the *Destination Management Strategy (ROD pg. 61)*. Any such trails will be short in length and will access an established campsite or drop off location.

Designated Stock Camps {pg. II-25, Table 2.32, pg. II-164}

All overnight holding of stock by commercial operators will take place at a designated stock camp. All party members on an all expense, base camp or traveling trip must stay in a designated stock camp. These sites will be signed as stock camps.

All designated campsites must be 100 feet from water, already established, durable and adequate for loading and unloading stock, and have acceptable access from the system trail. Designated campsites will not be located where sensitive resources (e.g., heritage, sensitive plants, etc.) may be affected.

These designated sites will have identified stock holding areas, identified access into and out of the camp, and will be contained in a manner that is consistent with Best Management Practices.

Features and allowances will be made in these sites to ensure and facilitate resource protection.

If a stock camp has not been identified, and an operator requests use of an area where overnight holding of stock is needed, the Authorized Officer may approve that use consistent with the destination management strategy for that area. If an operator plans to use sites repeatedly through the term of the permit, the site should be approved and designed in accordance with the guidelines above.

Any legal campsite may be used for spot and dunnage trips except where specifically prohibited or prescribed in the list of designated sites found in Table 2.32.

Campfires {pg. II-25}

On a case-by-case basis, approval will be considered for wood fires in areas above the elevational closure. The fire must be in a fire-pan and the ashes must be packed out. Wood must be brought in from outside or an approved source. These allowances will be managed through annual operating plans.

For all visitors, charcoal fires with a fire-pan will be approved above the elevational fire closure. The charcoal fire must be in a fire-pan and the ashes must be packed out.

Direction Specific to Individual Pack Stations

Clyde Pack Outfit

Maximum Stock at One Time in AA/JM: **35**

Day Rides in AA/JM: **None**

All expense trips in the AA/JM: **4**

Destination Quotas for AA/JM:

Analysis Unit	Destination	Quota	Comment
Florence/Bear Geographical Unit			
Dutch	Rodeo Mdw	4	
Dutch	Thompson Lake	2	
John Muir Southwest Geographical Unit			
Basin	Blackcap Basin	5	
Basin	Maxson Lake	2	
Basin	Pearl/Portal Zone	8	

Analysis Unit	Destination	Quota	Comment
Basin	Crabtree Lake	2	
Bench	Bench Valley	6	Up to 10 trips when trail is improved to standard.
Big Maxson	Halfmoon Lake	3	
Big Maxson	Maxson Mdw	4	
Crown Lake	Crown/Scepter Lakes	6	
Finger	Chain/Duck Lakes	4	
Fleming Mountain	Dale Lake	3	Spot & dunnage site
Fleming Mountain	Rae Lake	4	
Hobler	Burnt Corral Zone	6	
Hobler	Red Rock Basin	4	
Post Corral	Niche	6	
Post Corral	North Fork Kings River	6	
Post Corral	Fleming Creek	2	
Red Mountain	Fleming Lake	6	
Red Mountain	Disappointment Lake	6	
Red Mountain	Devils Punchbowl/Little Shot Lake	4	
Rodgers	Crown Valley	10	
Rodgers	Geraldine Lake	4	
South Woodchuck	Chimney/Woodchuck Lakes	15	
South Woodchuck	Moore Boys Mdw	4	
Spanish	Spanish Lakes	4	

D&F Pack Station

Maximum Stock at One Time in AA/JM: **35**

Day Rides in AA/JM: **None**

All expense trips in the AA/JM: **11**

Destination Quotas for AA/JM:

Analysis Unit	Destination	Quota	Comment
Fish Creek/McGee/Convict Geographical Unit			
Silver Divide	Grassy Lake	2	Silver Divide destinations managed as a zone for west side operators
Florence/Bear Geographical Unit			
Bear Ridge/Seldon	Bear Creek/JMT Corridor	14	
Dutch	Dutch/Hidden/Crater	6	
East Florence/Sallie Keyes	Shooting Star Mdw	4	

Italy	Hilgard Mdw	6	
Seldon	Rosemarie Mdw	4	
Seldon	Rose Lake	2	Spot & dunnage site
Mono Creek/Rock Creek Geographical Unit			
Graveyard	Graveyard Lakes	4	

High Sierra Pack Station

Maximum Stock at One Time in AA/JM: **60**

All expense trips in the AA/JM: 5

Destination Quotas for AA/JM:

Analysis Unit	Destination	Quota	Comment
Fish Creek/McGee/Convict Geographical Unit			
Margaret	Margaret Lakes	20	
Silver Divide	Chief/Papoose/Lone Indian/Squaw	6	Silver Divide destinations managed as a zone for west side operators
Silver Divide	Grassy Lake	2	Silver Divide destinations managed as a zone for west side operators
Silver Divide	Peter Pande Lake	1	
Silver Divide	Wilber May Lake	2	Silver Divide destinations managed as a zone for west side operators
Mono/Rock Creek Geographical Unit			
Devils	Devils Bathtub	8	
Fourth Recess	Upper Mono Creek	5	
Graveyard	Arrowhead/Feather Lakes	5	
Graveyard	Goodale Pass	6	
Graveyard	Graveyard Lakes	26	
Hopkins	Lower Hopkins Basin	2	
Lower Mono Creek	Lower Mono Creek	18	
Pioneer	Pioneer Basin	2	
Second Recess	Second Recess Canyon	10	
Silver Peak	Mott Lake	10	
Volcanic	Volcanic	4	
Bishop/Humphreys Geographical Unit			
French Canyon	French Canyon	2	
Glacier Divide	Hutchinson Mdw	6	
Florence/Bear			
Apollo	Cirque Zone	8	
Bear Ridge/Seldon	Bear Creek/51T Corridor	24	

Analysis Unit	Destination	Quota	Comment
Bolsillo	Corbett Lake	4	
Dutch	Dutch/Hidden/Crater	6	
Dutch	Thompson Lake	2	
East Florence/Sallie Keyes	Shooting Star Mdw	10	
Hooper	Gordon/Hooper Lakes	8	
Italy	Hilgard Meadow	8	
Sallie Keys	Sallie Keys Lake	4	
Sallie Keys	Senger Creek	10	
SEKI	Piute Creek to SEKI Bdy	25	
Seldon	Rosemarie Mdw	4	
Seldon	Lou Beverly/Sandpiper Lake	4	
Ward Mountain	Ward Mountain Lake	2	

Day Use:

Destination	Type
Arrowhead Lake	Day
China Camp	½ Day
Devil's Bathtub	½ Day
Dutch	Day
Graveyard Lakes	½ Day
Graveyard Meadow	½ Day & Day
Mono Creek	Day
Twin Meadow	2 Hour

Lost Valley

Maximum Stock at One Time in AA/JM: **25**

All expense trips in the AA/JM: 0

Destination Quotas for AA/JM:

Analysis Unit	Destination	Quota	Comment
Florence/Bear Geographical Unit			
East Florence/Sallie Keyes	Shooting Star Mdw	4	
Sallie Keys	Sallie Keys Lake	3	
SEKI	Piute Creek to SEKI Bdy	5	

Day Use:

Destination	Type
Double Meadow	½ Day

Piute Bridge	½ Day
Sallie Keys	Day
Senger	Day
Third Bridge/SEKI	Day

Minarets Pack Station

Maximum Stock at One Time in AA/JM: **60**

All expense trips in the AA/JM: **10**

All expense trips in Yosemite NP: **4** (*Trips shown are an estimate of use. Actual use into Yosemite NP will be governed by NPS*)

Destination Quotas for AA/JM:

Analysis Unit	Destination	Quota	Comment
Ansel Adams West Geographical Unit			
Bench Canyon	Long Creek	4	
Bridge Crossing	Junction Buttes	6	
Bridge Crossing	Sheep's Crossing	0	
Cargyle	77 Corral Zone	2	
Cargyle	Spano/Straube Lakes	4	
Cassidy/Junction	Miller/Cassidy/Rattlesnake	25	
Cora	Chetwood Zone	12	
Cora	Cora Creek	2	
Cora	Cora Lakes	18	
Cora	Lost Lake	2	
Iron Creek	Iron Creek	4	
Jackass	Jackass Lakes	6	
Lake Catherine	Hemlock/Stevenson	10	
Lillian Lake	Fernandez Lakes	2	
Lillian Lake	Fernandez Mdw.	6	
Lillian Lake	Flat/Monument Lakes	6	
Lillian Lake	Lillian Lake	25	
Sadler	Isberg Lake	6	
Sadler	Joe Crane Lake	8	
Sadler	Sadler/McClure Lakes	19	
Staniford Lakes	Staniford Lakes	18	Up to 24 to Staniford Lakes when trail is fixed.
Staniford Lakes	Vandeburg/Lady Lakes	32	
Triple Divide	Post Creek	2	
Triple Divide	Anne Lake	4	Limit to 24 stock per season until trail resource issues are corrected.
Triple Divide	Rutherford Lake	4	Spot & dunnage site

Triple Divide	Isberg Mdw.	2	
Triple Divide	South of Slab Lakes	2	
YOSE	Chiquito Pass	20	Trips shown are an estimate of use. Actual use into Yosemite NP will be governed by NPS

Day Use:

Destination	Type
Cassidy	Day
Cora	Day
Hemlock Bridge	Day
Madera Creek	Day
Staniford Lake	Day
Surprise Saddle	Day
Vandeburg Lake	Day
YOSE	Day
77 Corral	Day

Muir Trail Ranch

Maximum Stock at One Time in AA/JM: **35**

All expense trips in the AA/JM: **0**

Destination Quotas for AA/JM

Analysis Unit	Destination	Quota	Comment
Florence/Bear Geographical Unit			
Sallie Keys	Sallie Keys Lake	4	
SEKI	Piute Creek to SEKI Bdy	5	

Day Use:

Destination	Type
Double Meadow	½ Day
Piute Bridge	½ Day
Sallie Keys	Day
Senger	Day
Third Bridge/SEKI	Day

Yosemite Trails Pack Station

Maximum Stock at One Time in AA/JM: **25**

Day Rides in AA/JM: **None**

All expense trips in Yosemite National Park: **14** (Trips shown are an estimate of use. Actual use into Yosemite NP will be governed by NPS)

Destination Quotas for AA/JM:

Analysis Unit	Destination	Quota	Comment
Ansel Adams West Geographical Unit			
YOSE	Chiquito Pass	11	Trips shown are an estimate of use. Actual use into Yosemite NP will be governed by NPS

Direction applies to more than one Pack Station

System Trails

Sierra National Forest Trails that are “Not Suitable for Commercial Stock” (NS) and closed to commercial stock use. NS* = not suitable until repaired. TC = Trail Class

Trail Name	Trail #	Alt2 Mod. TC	Seg Mile	Beginning Termini	End Termini
VANDEBERG ACCESS	24E04A	1 NS	0.09	Vanderburgh Lake, North Shore	Jct.Lillian Lake Trail (#24E04)-east
MARGARET LAKES (Big Marg to Rainbow Outlet)	26E03	2 NS*	1.25	Big Margaret Lake	Baby Lake
MARGARET LAKES (Baby Lk - Silver Cr)	26E03	1 NS	0.75	Baby Lake	Silver Creek 27E63
SHARKTOOTH LAKE	27E01	1 NS	1.00	Silver Divide (Sec 20)	Sharktooth Lake
SILVER CREEK	27E63	1 NS	3.00	String Meadow 26E04	Fish Creek 2622 Inyo Admin Boundary
LONG CANYON	27E15	1 NS	0.50	1/2 mile before Beetlebug Lake	Beetlebug Lake
SEVEN GABLES	28E08	1 NS	1.00	Mdw on west side of Sec 18	Lower Seven Gables Lake
LAKE ITALY	29E08	1 NS	5.34	Hilgard Meadow	Italy Pass (Sierra/Inyo Forest Boundary)
SANDPIPER LAKE	28E24	2 NS*	1.29	Lou Beverly	Sandpiper Lake
HELL FOR SURE	29E52	1 NS	0.84	Hell for Sure Lake	Kings Canyon NP Bdy (Hell For Sure Pass)
BEAR CREEK (Twin Falls to 51T)	28E01	2 NS*	3.60	Twin Falls	51T 20E00
GOLDEN LAKE	29E10	2 NS	0.81	Mono Creek 29E01	Golden Lake
THIRD RECESS LAKE	29E48	1 NS	1.45	Mono Creek 29E01	3rd Recess Lake
UPPER GRAVEYARD LAKES	28E15A*	2 NS	0.70	1st Graveyard Lake - North End	Upper (largest) Graveyard Lake

Trail Name	Trail #	Alt2 Mod. TC	Seg Mile	Beginning Termini	End Termini
HOPKINS PASS	29E07	1 NS	0.50	Lake 1/2 mile below pass	Hopkins Pass
PIONEER BASIN (Westside)	29E47A	2 NS*	0.75	Mudd Lake	Lake 10,840
PIONEER BASIN (Westside)	29E47A	1 NS*	0.75	Lake 10,840	Pioneer Basin 3rd Lake (10,862)
UPPER PIONEER CUTOFF	29E47C	1 NS	1.00	Campsite at "camp meadow"	Lake 10,862 (3rd Lk)

Use Trails - AA/JM

Use trails approved. Use trails and routes not listed are not approved.

Use Trail Name	UT ID#	Est. Miles	Alt 2 Mod	Stipulation/Clarifier
Rock Creek Trail to Rube Meadow Trail along Rock Creek	ARC01	0.96	A	
"No name"/"Tule" Lake	ARC02	0.55	A	
Straube/Spano Meadow to Iron Lake trail	CAR01	1.89	A	
Lost Lake (Stevenson Tr. To Lost Lake)	COR01	0.84	A	
Pine Flat	JUN01	1.28	A	
Dike Creek	LAC01	0.51	A	
Fernandez Pass Trail to Fernandez Lake	LIL02	0.53	A	
Flat to Monument Lakes	LIL04	0.39	A	
Onion Springs road to John Muir Wilderness boundary east of Saddle Mtn	ONS01	3.56	A	For hunting season only
Devil's Bathtub Cutoff	ONS02	1.81	A	(1 hour trail ride)
High Sierra Pack Station to Twin Meadow	ONS04	1.37	A	Onion Springs Road to Devil's bathtub trail
Anne Lake Grazing (north of lake)	TRD01	0.18	A	
Post Creek to Timber Creek Trail.	TRD02	1.37	A	Low use to avoid well-defined trail forming.
Post Creek (Post Creek Trail 24E17 to campsite #31 elev. 9045	TRD04	0.32	A	
Hurd Lake	BIS02	0.42	A	
Long Lake camp spur	BIS04	0.27	A	
Saddlerock Lake campsites	BIS09	0.18	A	Only to camps, not to Ledge Lake

Use Trail Name	UT ID#	Est. Miles	Alt 2 Mod	Stipulation/Clarifier
Royce Lake	FRE11	2.48	A	
Merriam Lake use trail on south/west side of creek from French Canyon Trail	FRE40	1.08	SYS	
Pine Cr Pass to French Lake	FRE54	0.89	A	
Lower Honeymoon from 30E01 (Piute Trail) to lake	GLA01	0.80	SYS	
Packsaddle Lake	GLA02	1.09	A	
Golden Trout Lake spur trails to designated campsites	GLA05	0.45	A	Designate best access to camp sites
Muriel Lake from Piute Pass	GLA14	0.76	SYS	
Wahoo Lake	GLA17	0.74	A*	*Low use to avoid well-defined trail forming.
Sonny Boy Mine	HOR01	1.86	A	
Hanging Valley mine (abandoned mining roads)	HOR07	4.61	A	
Piute Canyon Trail to Tomahawk Lake	HUM30	0.75	A*	*Low use to avoid well-defined trail forming.
From Desolation Lake Trail to Tomahawk Lake (via Mesa Lake)	HUM35	1.55	A*	*Low use to avoid well-defined trail forming.
Lower Pine Lake Trail to campsites at outlet	PIN05	0.11	A	
Piute Lake North shore campsites	PIU01	0.20	A	
Piute Snow Survey cabin	PIU02	0.15	A	
Blue Lake Inlet camps	SAB09	0.12	A	Only to bench camps - not to inlet stream
Treasure Lakes camps	TRS01	0.17	A	Inherent Camp Trail
Pond Lily Lake	CAS01	0.67	A	Low use to avoid well-defined trail forming.
2nd Crossing campsite	CAS04	0.11	A	Campsite only; Not to grazing area
Duck Pass snow bypass	COD03	0.04	A	for snow bypass only
Tobacco Flat	MCG01	2.21	A	*For hunting season only
Baldwin Cutoff	MCG02	0.19	SYS	Until McGee/Steelhead junction repairs.
Round Lake campsite	MCG03	0.10	A	*Approve new route to relocated campsite
Meadow Lake from Steelhead Trail	MCG04	0.34	A*	* Do not approve use beyond (to Golden Lake)

Use Trail Name	UT ID#	Est. Miles	Alt 2 Mod	Stipulation/Clarifier
"CCC Camp" site access	MCG08	0.10	A	
Brave Lake trail (from near Grassy Lake)	SIL04	1.00	A	
Olive Lake Bench	SIL08	0.26	A*	*to grazing only
Peter Pande Tarn	SIL13	0.77	A	Limited use
Pick and Shovel Mine	SIL14	0.16	A	
Goodale Pass Bypass (Toward Lake of Lone Indian)	SIL15	0.47	A*	*Snow bypass only
Grassy Lake Box Canyon Grazing Access (from lower Peter Pande Tr)	SIL16	0.40	A*	*Accesses grazing. Limited use until Peter Pande Tr stabilized.
Cirque Lake	APO05	7.56	SYS	
Depressed Lake (from Cirque Lake Trail)	APO02	2.07	A	
Apollo/Orchid Lake from Pacific Crest Trail (51T) to Apollo Lake	APO04	1.77	A	Limited Use
Corbett Lake Trail to Cunningham Lake	BOL01	1.45	A	For hunting season only
Kings Castle	BOL02	2.59	A	For hunting season only
Dutch Oven Meadow to Summit Lake	DUT01	1.30	A	
Lost Lake to Thompson Lake	DUT02	1.37	A	*Only south part approved
Dutch to Hidden Lake	DUT03	0.33	A	
Heather Lake use trail	FLE01	1.24	A	Limited Use
Infant Buttes use trail	HOO02	0.42	A	For hunting season only
Senger Creek to Turret Lake (southern of two routes)	NPT01	3.12	A	*Approve only NPT01 (southern route)
Tombstone	SAK01	2.21	A	For hunting season only
Hot Springs Pass Trail to Blayney Meadow	SAK03	3.51	A	
Senger Creek from 51T to Deer Camp west of creek/mdw	SAK08	1.18	A	
Marshall Lake	SEL02	0.15	A	
Old 51T west of Rosemarie meadow paralleling outlet creek	SEL07	1.11	A*	*Only to camp at north end of meadow.
Ward Mountain Lake use trail	WAM01	4.81	A	

Use Trail Name	UT ID#	Est. Miles	Alt 2 Mod	Stipulation/Clarifier
Lightning Corral Meadow/ Ambition Lake	BAS01	2.30	A	
Portal Lake to Pearl Lake	BAS02	0.98	A	
Maxson Basin/Maxson Lake	BAS03	1.55	A	
Bench use trail from Fall Creek to Crabtree	BEN02	2.37	A	
Meadowbrook to Bench Valley	BIM01	2.26	A*	*Until Bench Valley trail is repaired
Hummingbird Lake use trail	CRB01	1.13	A	
Scepter Lake use trail	CRL01	0.66	A	
Burnt Corral Trail to Reddy's Hole	HOB01	2.07	A	
Maxson trailhead to North Fork Kings River	POC02	2.22	A	*for low use
Blackrock Lakes use trail	RMB03	0.78	A	
Jigger Lakes from Meadow Brook Trail	RMB04	0.98	A	
Little Shot Lake	RMB05	0.35	A	
Blackcap trail to Fleming Creek	RMB07	1.75	A	
Woodchuck Lake loop to Loper Peak	SOW01	0.78	A	*to snow survey site only - not complete
3rd & 4th Recess campsites near (Mono Creek) access	FOR02	0.21	A	designate best route to campsites
Hilton Lakes Mine (two former mining road/trails)	HIL02	2.38	A	
Davis outlet	HIL05	0.26	A	Campsite Access
Mono Pass Snow Bypasses	LLV05	0.54	A	
Mudd Lake Mono Creek Campsite shortcut	PIO06	1.12	A*	*Can be used to access dispersed grazing only
Kenneth Lake from Tamarack Trail and north to Dorothy Loop	TAM03	0.65	A	Allow one UT to connect between Dorothy Loop.
Trail from Lake 10,800 to upper lakes below Recess Peak	VOL01	1.85	A*	*Low Use levels

Designated Stock Camps

Geographic Unit	Analysis Unit	Location	Type of Site
Ansel Adams West			
	Bench Canyon	Long Creek	Stock camp
	Cargyle	77 Corral	3 stock camps
	Cargyle	Spano/Straube Lakes	Stock camp
	Cassidy	Rattlesnake Lake	Stock camp
	Cassidy	Pine Flat	Stock camp
	Cora	Chetwood zone	2 stock camps
	Cora	Cora Creek	Stock camp
	Lake Catherine	Stevenson Meadow	2 stock camps
	Lillian Lake	Fernandez Meadow	Stock camp
	Lillian Lake	Flat Lake	Stock camp
	Lillian Lake	Lillian Lake	Stock camp
	Sadler	Joe Crane	Stock camp
	Sadler	Sadler/McClure Lakes	2 stock camps
	Triple Divide	Anne Lake	Stock camp
	Triple Divide	Isberg Meadow	Stock camp
	Triple Divide	Rutherford Lake	Spot and dunnage site
	Triple Divide	South of Slab Lakes	Stock camp
Fish Creek/McGee/Convict			
	Cascade Valley	Cascade Valley	3 stock camps
	Cascade Valley	Second Crossing	Stock camp
	Cascade Valley	Island Crossing	2 stock camps
	Cascade Valley	Sharktooth Creek	Stock camp
	Margaret	Coyote Lake	Stock camp
	Margaret	Big Margaret Lake	Stock camp
	Purple Bench	Deer Lakes	Stock camp
	Purple Bench	Duck Creek (below Duck Lake on 51T)	Stock camp
	Purple Bench	Purple Lake	3 stock camps
	Purple Bench	Purple Bench	Stock camp
	Purple Bench	Lake Virginia	2 stock camps
	Silver Divide	Chief Lake	Stock camp
	Silver Divide	Grassy Lake	2 stock camps
	Silver Divide	Jackson Meadow	3 stock camps
	Silver Divide	Long Canyon	2 stock camps
	Silver Divide	Olive Lake	Stock camp
	Silver Divide	Peter Pande Lake	3 stock camps
	Upper Fish	Upper Fish Meadow	Stock camp ("Hilton Camp")

Geographic Unit	Analysis Unit	Location	Type of Site
	Upper Fish	Horse Heaven	2 stock camps; Secondary site at southeast end of meadow
	Upper Fish	Upper Fish - Junction of Fish Creek and Lee Creek	Stock camp
	Upper Fish	Upper Fish - (Lee Lake Trail)	Stock camp ("Sheep Camp")
	Upper Fish	Tully Hole	Stock camp
Mono Creek/Rock Creek			
	Fourth Recess	Upper Mono Creek	5 stock camps total. 2 in vicinity of Fourth Recess, 1 at Third Recess junction, 2 below Hopkins junction.
	Fourth Recess	Fourth Recess Lake	Spot and dunnage site
	Graveyard	Quail Meadow	Stock camp
	Graveyard	Arrowhead Lake	Stock camp
	Graveyard	Upper Graveyard Meadow	Stock camp
	Hopkins	Lower Hopkins	2 stock camps
	Laurel	Laurel Creek Meadow	Stock camp
	Pioneer	Mudd Lake	2 stock camps
	Pioneer	Upper Pioneer Basin	Stock camp (above Mudd Lake)
	Second Recess	Frog Creek	(See Upper Mono Creek)
	Second Recess	Lower Mono Creek	Stock camp
	Second Recess	Second Recess/Mono Creek Junction	Stock camp
	Second Recess	Second Recess	Stock camp
	Silver Peak	Pocket Meadow	Stock camp
	Silver Peak	Silver Pass Meadow/Lake	2 stock camps
	Silver Peak	Mott Lake	Stock camp
	Volcanic	Volcanic Knob	Stock camp
Bishop/Humphreys			
	French Canyon	French Canyon	Stock camp ("Waterfall Camp")
	French Canyon	Elba/Moon/ L Lakes	Stock camp
	French Canyon	Merriam Creek Junction	Stock camp
	French Canyon	Merriam Meadow	Stock camp
	Glacier Divide	Golden Trout Lakes	4 spot/dunnage camps, no stock holding camps.
	Glacier Divide	Hutchinson Meadow	3 stock camps
	Glacier Divide	Honeymoon Creek/Lake	Spot and dunnage site
	Pine Creek	Honeymoon Lake	2 spot and dunnage sites
	Pine Creek	Upper Pine Lake	Stock camp

Geographic Unit	Analysis Unit	Location	Type of Site
	Piute	Loch Leven	Spot and dunnage site
	Piute	Piute Lake	Spot and dunnage site
Florence/Bear			
	Apollo	Cirque Lake	Stock camp
	Apollo	Marcella Lake	Stock camp
	Apollo	Orchid Lake	Stock camp
	Bear Lakes	Bear Creek Meadows	2 stock camps
	Dutch	Dutch Lake	Stock camp
	Dutch	Rodeo Meadow	Stock camp
	East Florence	Shooting Star Meadow	2 stock camps
	Italy	Hilgard Meadow	2 stock camps
	North Piute	Piute Creek Corridor	Stock camp
	Sallie Keyes	Senger Creek	Stock camp
	Sallie Keyes	Sallie Keyes Lakes	2 stock camps
	Seldon	Lou Beverly Lake	Stock camp
	Seldon	Rose Marie Meadow	Stock camp
	Seldon	Rose Lake	Spot and dunnage site
John Muir Southwest			
	Basin	Pearl/Portal Zone	2 stock camps
	Basin	Maxson Lake	Stock camp
	Basin	Upper Lightning Corral Meadow	Stock camp
	Basin	Upper North Fork Kings River	Stock camp
	Bench	Bench Valley	Stock camp
	Big Maxson	North Fork Kings River/Potholes	Stock camp
	Big Maxson	Meadow Brook Cr.	Stock camp
	Crown Lake	Scepter Lake	Stock camp
	Finger	Chain/Duck Lakes	1 stock camp at Duck Lake and 1 stock camp at Chain Lake
	Fleming Mountain	Fleming Lake	Stock camp
	Fleming Mountain	Dale Lake	Spot and dunnage site
	Hobler	Burnt Corral Zone	Stock camp
	Post Corral	Reddys Hole	Stock camp
	Red Mountain	Disappointment Lake	Stock camp
	Rodgers	Crown Valley	Stock camp
	South Woodchuck	Chimney/Woodchuck Lakes	Stock camp

Grazing

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
Crater Creek, Cargyle, Bridge Crossing	Cargyle Stairway Grazing Zone	ccd11, brc2-4, brc6-10, car1, car3-10, car12-17, car19, car21, car23-36	Allow grazing, 267 stock nights available. Included in Cargyle and Crater Creek AUs in the Ansel Adams West GU
Bridge Crossing	Earthquake Meadow	brc3	Allow grazing, 25 stock nights available until assessed.
Bridge Crossing	Naked Lady Meadow	brc6	Allow grazing, 25 stock nights available until assessed.
Cargyle	Stairway Meadow	car1	Allow grazing, 76 stock nights available (critical area YT).
Cargyle	Between Cargyle and Stairway Meadow	car7	Allow grazing; 33 stock nights available (critical area YT, FC).
Cargyle	Cargyle Meadow	car8	Allow grazing, 107 stock nights available
Cargyle	Cargyle North	car9	Unsuitable, do not allow grazing (critical area FC).
Cargyle	77 Corral	car12	Allow grazing; 50 stock nights available until assessed.
Cargyle	Lower East Fork Meadow	car17	Prohibit grazing due to trail/archaeological concerns.
Cargyle	Middle East Fork Meadow	car23	Unsuitable, do not allow grazing.
Cargyle	Headquarters Meadow	car32	Allow grazing, 25 stock nights available until assessed.
Cargyle	Snake Meadow Grazing Zone		Allow grazing, 25 stock nights available until assessed.
Cora	Cora-Chetwood Grazing Zone	cor4, cor5, cor6, cor7, cor8, cor14, cor15	Allow grazing, 243 stock nights available.
Cora	Chetwood Meadow	cor4	Allow grazing; 83 stock nights available (critical areas - HY).
Cora	Detachment Meadow	cor6	Allow grazing; 64 stock nights available (critical areas - HY).
Cora	Knoblock Meadow	cor15	Allow grazing; 96 stock nights available (critical areas - HY).
Junction	Rattlesnake Grazing Zone	jun12, jun13	Allow grazing, 25 stock nights available until assessed.
Junction	Rattlesnake Lake Meadow	jun12	Allow grazing; 25 stock nights available until assessed.
Lake Catherine	Stevenson Hemlock Grazing Zone	lac1, lac2, lac3, lac9, lac10	Allow grazing; 488 stock nights available.
Lake Catherine	Stevenson Meadow	lac1	Allow grazing, 175 stock nights (Stevenson), 28 stock nights (Upper Stevenson) available (critical area FC).
Lake Catherine	Falls Grazing Area	lac2	Allow Grazing; 126 stock nights available.
Lake Catherine	Hemlock Crossing	lac3	Allow grazing; 31 stock nights available.
Lake Catherine	Upper Falls Meadow	lac9	Allow Grazing; 70 stock nights available.
Lake Catherine	Pond Meadow	lac10	Allow grazing; 58 stock nights available.
Lillian	Fernandez Junction Grazing Zone	lil3, lil5	Allow grazing, 24 stock nights available.
Lillian	Fernandez Meadow	lil5	Allow grazing; 24 stock nights available (critical areas - HY).
Lillian	NW of Fernandez Lake	lil3	Rest for resource recovery.
Sadler	Isberg Lake Grazing Zone		Allow grazing; 14 stock nights available.
Sadler	North Isberg Lake Meadow	sad10	Allow grazing; 14 stock nights available (critical areas - HY).
Sadler	Joe Crane Junction Grazing Zone	sad1, sad2, sad4	Allow grazing, 178 stock nights available.
Sadler	Joe Crane Lake Meadows	sad1	Allow grazing; 9 stock nights available (critical areas - HY).
Sadler	West of Joe Crane Lake	sad2	Allow grazing; 98 stock nights available (critical areas - HY).
Sadler	Joe Crane Junction	sad4	Allow grazing; 71 stock nights available (critical areas - HY).
Sadler	Sadler McClure Grazing Zone	sad12, sad13, sad14, sad22	Allow grazing, 110 stock nights available.
Sadler	Sadler Lakeshore	sad12	Allow grazing; 53 stock nights available north of lake (critical areas - HY).

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
Sadler	McClure to Sadler	sad13	Allow grazing, 12 stock nights (one average size trip), with protection of riparian/spring area and monitoring (critical area FC).
Sadler	Sadler Pond	sad22	Allow grazing; 45 stock nights available (critical areas - RR, YT).
Triple Divide	Isberg Meadow Grazing Zone	trd8	Allow grazing; 76 stock nights available.
Triple Divide	Isberg Meadow	trd8	Allow grazing; 76 stock nights available (critical areas - HY).
Triple Divide	Rutherford Grazing Zone	trd1, trd3	Allow grazing, 46 stock nights available.
Triple Divide	North of Anne Lake	trd1	Allow grazing; 46 stock nights available.
Cold Creek, Devils	Devils Bathtub Grazing Zone	dev1, coc7	Allow grazing, 25 stock nights available.
Cora	Cora Lake Meadow	cor2	Prohibit grazing due to access.
Lillian	Fernandez Creek Meadow	lil4	Unsuitable; do not allow grazing.
Lillian	Flat Lake Meadow	lil1	Grazing prohibited.
Triple Divide	South of Slab Lake	trd6	Unsuitable; do not allow grazing.
Cascade Valley	Cascade Valley Grazing Zone	cas2, cas3, cas4	Allow grazing, 214 stock nights. One night grazing per trip in Cascade Valley, and Silver Divide analysis units.
Cascade Valley	Cascade Valley(Fish/ Minnow Confluence)	cas2	Allow grazing, 20 stock nights every other year.
Cascade Valley	Third Crossing	cas4	Allow grazing; 52 stock nights available (critical area - FC).
Cascade Valley	Lower Fish Creek Grazing Zone	cas6	Allow grazing; 12 stock nights available (critical areas - RR, HY, FC).
Cascade Valley	Island Crossing/ Fox Meadow	cas6	Allow grazing; 12 stock nights available (critical areas - RR, HY, FC).
Purple Bench	Purple Grazing Zone	ppb5, ppb7, ppb10, ppb12, ppb13	Allow gazing 132 stock nights available.
Purple Bench	High Camp Meadow	ppb5	Allow grazing; 15 stock nights available (RR, HY, FC).
Purple Bench	Ram Meadow	ppb10	Unsuitable; do not allow grazing (critical area - FC).
Purple Bench	Purple Meadow	ppb12	Allow grazing; 90 stock nights available (RR, HY).
Purple Bench	Purple Bench	ppb13	Allow grazing; 12 stock nights available (RR, FC).
Purple Bench	Virginia Lk Grazing Zone	ppb1, ppb11	Allow grazing; 20 stock nights available.
Purple Bench	Virginia Lake	ppb1	Allow grazing; 20 stock nights available.
Purple Bench	North of Duck Lake Grazing Zone	ppb15	Allow grazing; 20 stock nights available.
Purple Bench	Duck Lake Benches	ppb15	Allow grazing; 20 stock nights available.
Margaret	Margaret Lakes Grazing Zone	mar1-4, mar6, mar7, mar9-11, mar17-19	Allow grazing; 246 stock nights available.
Margaret	Coyote Grazing Area (Silver Creek Junction)	mar1	Allow grazing; 62 stock nights available (critical area - FC).
Margaret	Rainbow to Margaret	mar4	Do not allow grazing until trail is repaired.
Margaret	Coyote Lake	mar7	Unsuitable; do not allow grazing (critical area - YT).
Margaret	Fern Lake	mar9	Fern Lake: Allow grazing; 63 stock nights available (critical area - YT).
Margaret	Big Margaret Lake West	mar11	Allow grazing; 41 stock nights available.
Margaret	Frog Lake North	mar17	Allow grazing, 60 stock nights available (critical area - YT).
Margaret	Frog Lake SE	mar18	Rest for resource recovery, large headcut on old trail.
Margaret	North of Frog Lake	mar19	Allow grazing, 20 stock nights available (critical area - YT).
McGee	McGee Creek Grazing Zone	mcg1, mcg3-5, mcg7-9, mcg12	Allow grazing 50 stock nights available
McGee	Cable Meadow	mcg1	Unsuitable; do not allow grazing.

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
McGee	Martins Meadow	mcg4	Rest for resource recovery (critical area - YT, RR, HY).
McGee	Chute Camp Meadow	mcg5	Allow grazing . 30 stock nights available in wet years, 90 stock nights available in normal years (critical areas - YT)
McGee	NW of Big McGee Lake	mcg7	Unsuitable; do not allow grazing.
McGee	Round Lake Meadow	mcg8	Unsuitable; do not allow grazing (critical area - YT).
McGee	Second Meadow (above Martin's)	mcg9	Unsuitable; do not allow grazing (critical area - YT).
McGee	Big McGee	mcg12	Allow grazing; 20 stock nights available (critical areas - HY, YT).
Silver Divide	Silver Divide Grazing Zone	sil2, sil8, sil10, sil12-13, sil15-16, sil18-19, sil21-23, sil25	Allow grazing, 490 stock nights available. One night of grazing per trip in the Silver Divide and Cascade Valley analysis Units
Silver Divide	Box Canyon above Grassy	sil2	Do not allow grazing until trail is repaired.
Silver Divide	Jackson Meadow	sil8	Allow grazing over about 1/3 of the meadow; 300 stock nights available (critical areas: HY,RR)
Silver Divide	Squaw Lake	sil10	Unsuitable; do not allow grazing (critical area - YT).
Silver Divide	Papoose Lake	sil12	Unsuitable; do not allow grazing (critical area - YT).
Silver Divide	Between Lone Indian and Grassy	sil13	Rest for resource recovery (critical area - FC).
Silver Divide	Olive Lake West	sil15	Allow grazing; 114 stock nights available.
Silver Divide	Olive Lake Inlet and Outlet	sil16	Unsuitable; do not allow grazing.
Silver Divide	Chief Lake	sil19	Allow grazing 9 stock nights available (critical area YT)..
Silver Divide	Grassy Meadow	sil22	Rest for resource recovery. High priority for monitoring (critical area - YT)
Silver Divide	Long Canyon Grazing Zone	sil1, sil4, sil6	Allow grazing, 130 stock nights available.
Silver Divide	Long Canyon	sil1, sil4	Allow grazing; 130 stock nights available (critical areas – RR).
Upper Fish Creek	Upper Fish Creek Grazing Zone	ufc1, ufc3-4, ufc6-11	Allow grazing, 197 stock nights available.
Upper Fish Creek	Along Lee Lake Trail below Lee Lake at Tarn Pond	ufc1	Unsuitable; do not allow grazing.
Upper Fish Creek	Red Slate Meadow	ufc3	Unsuitable; do not allow grazing (critical area - YT, FC).
Upper Fish Creek	Tully Lake	ufc4	Allow grazing; 60 stock nights available (critical areas - FC).
Upper Fish Creek	Lee/McGee Trail Junction	ufc6	Rest for resource recovery.
Upper Fish Creek	Lee/Cecil Lakes Meadows	ufc7	Unsuitable; do not allow grazing.
Upper Fish Creek	Horse Heaven	ufc8	Allow grazing; 65 stock nights in wet years, 150 stock nights available in normal or dry years. (critical areas – RR, HY).
Upper Fish Creek	Tully Hole	ufc9	Allow grazing; 72 stock nights available (critical areas - YT, FC).
Upper Fish Creek	West of Lee/Cecil Lakes	ufc11	Closed due to lack of access.
Cascade Valley	Second Crossing	cas1	Unsuitable; do not allow grazing (critical area - FC).
Purple Bench	Duck Lake Meadow (lakeside)	ppb6	Unsuitable; do not allow grazing (critical area - YT).
Purple Bench	Pika Lake Meadow	ppb4	Unsuitable; do not allow grazing.
McGee	Baldwin Meadow	mcg10	Baldwin Meadow: no grazing. System trail to meadow closed to commercial stock (critical area - RR,YT).
McGee	Grass Lake Meadow	mcg2	Unsuitable; do not allow grazing (critical area - YT).
Silver Divide	Peter Pande Lake	sil24	Unsuitable; do not allow grazing (critical area - YT).
Silver Divide	Peter Pande Tarn	sil7	Unsuitable; do not allow grazing (critical area - YT, FC).
Fourth Recess, Pioneer, Second Recess, Graveyard	Mono Creek Grazing Zone	for1, for8, pio5a, pio8, sec1, sec3, sec15, gra8	Allow grazing, 323 stock nights.
Fourth Recess	North of Mono Rock	for1	Unsuitable; do not allow grazing (critical area - FC).

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
Fourth Recess	Hopkins/Mono confluence Meadow	for8	Allow grazing; 19 stock nights available. (critical areas - HY)
Graveyard	Quail Meadow (near campsite)	gra8	Allow grazing; 48 stock nights, (critical area - HY). Determine potential impacts to heritage sites
Laurel	Mono Creek Zone near Laurel Creek Confluence		Allow grazing as part of the Mono Creek Zone.
Second Recess	Mono Creek near Second Recess Creek	sec15	Allow grazing as part of the Mono Creek Zone.
Pioneer	Pioneer Lodgepole understory	pio0	Allow grazing, 25 stock nights available.
Fourth Recess	Third Recess Grazing Zone	for4, for6	Allow grazing, 13 stock nights (see also Mono Creek Zone).
Fourth Recess	Third Recess along Creek	for4	Allow grazing; 13 stock nights available (critical areas - RR, HY, FC).
Hopkins	Hopkins Creek Grazing Zone	hop3, hop5	Allow grazing, 159 stock nights available.
Hopkins	Hopkins Creek Meadow	hop3	Allow grazing; 159 stock nights (critical areas - RR, HY)
Hopkins	Lower Hopkins Lake	hop5	Rest for resource recovery
Second Recess	Second Recess Grazing Zone	sec9, sec14	Allow grazing; 278 stock nights (critical area - FC).
Second Recess	Second Recess Meadows	sec14	Allow grazing; 278 stock nights (critical area - FC).
Laurel	Laurel Creek Grazing Zone	lau1, lau9	Allow grazing, 92 stock nights available.
Laurel	Lower Laurel Creek	lau1	Allow grazing; 92 stock nights available (critical areas - RR)
Volcanic	Volcanic Knob Grazing Zone	vol1-4	Allow grazing, 250 stock nights available. (critical areas: FC, YT, RR).
Volcanic	Volcanic Knob Meadow	vol3	Allow grazing, 250 stock nights available. (critical areas: FC, YT, RR).
Bear	Bear Ridge Grazing Zone	ber2, ber6-8, ber 12, ber14	Allow grazing, 25 stock nights available.
Bear	Bear Ridge	ber2	Allow grazing; 25 stock nights available.
Silver Peak	Silver Pass Grazing Zone	sip6, sip7, sip11	Allow grazing, 208 stock nights.
Silver Peak	Silver Pass meadow	sip6	Rest for resource recovery.
Silver Peak	Silver Pass Lake Meadow	sip7	Allow grazing; 124 stock nights (critical area - YT).
Silver Peak	Silver Pass Creek Complex	sip11	Allow grazing; 23 Stock nights available.
Silver Peak	Mott/Pocket Grazing Zone	sip4, sip5	Allow grazing, 61 stock nights available.
Silver Peak	Pocket Meadow	sip4	Allow grazing; 48 stock nights.
Silver Peak	Mott Lake Grazing Area	sip5	Allow grazing; 13 stock nights available.
Graveyard	Graveyard Grazing Zone	gra2, gra9, gra11, gra14-16, gra18, gra20	Allow grazing, 233 stock nights
Graveyard	Middle Graveyard Meadow	gra2	Rest for resource recovery (critical area - FC).
Graveyard	Graveyard Meadow	gra9	Rest for resource recovery.
Graveyard	Upper Graveyard Meadow	gra11	Rest for resource recovery (critical area - YT).
Graveyard	Upper Cold Creek Meadow Complex (Goodale Pass Meadow)	gra14, gra18	Allow grazing; 200 stock nights available (critical area - FC).
Graveyard	Lower Graveyard Lake Shore	gra20	Allow grazing; 32 stock nights available.
Devils, Cold Creek	Devils Bathtub Grazing Zone	dev1, coc7	Allow grazing, 25 stock nights available.
Devils	Devils Bathtub Meadow	dev1	Allow grazing; 25 stock nights available (critical area - YT).
Pioneer	Mudd Lake Meadow	pio5a	Prohibit grazing (because FAR upward and use in the past has been 0 - it has been closed)
Hilton Creek	Hilton Lakes 5 and 6	hil12	Unsuitable: do not allow grazing.
Bear	Kip Camp Meadow	ber3	Unsuitable; do not allow grazing (critical areas – FC, HY, RR).
Little Lakes Valley	Chickenfoot, Above Long Lake, Gem, etc.	llv1-17	Prohibit grazing in entire analysis unit
Morgan Lakes	Entire Analysis Unit		Prohibit grazing in entire analysis unit

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
Pioneer	North Pioneer Basin	pio1-5, pio6	Continue grazing closure
French	French Canyon Grazing Zone	fre2-3, fre5, fre5-8, fre12, fre14, fre17	Allow grazing, 735 stock nights available.
French	West Elba Lake Meadows	fre2	Rest until resource recovery.
French	East Elba Lake Meadows	fre2.5	Allow grazing; 25 stock nights, identified critical areas (HY, RR, YT).
French	Adjacent to Waterfall Camp	fre3	Unsuitable in wet area below camp; do not allow grazing (critical areas - FC).
French	Waterfall Camp to Merriam Creek	fre7	Allow grazing; 72 stock nights available (critical areas - RR, FC).
French	French Cyn - Merriam Crk to Chevaux Creek	fre8	Allow grazing; 379 stock nights available (critical areas - YT, FC).
French	French Cyn - Chevaux confluence	fre8b	Unsuitable; do not allow grazing (critical areas -FC).
French	French Cyn /Merriam confluence	fre14	Unsuitable; do not allow grazing (critical areas - FC).
French	Waterfall Camp to 10,760 ft elevation	fre17	Allow grazing; 284 stock nights available (critical areas - YT, FC)
French	Merriam Lake Grazing Zone	fre6	Allow grazing, 35 stock nights available.
French	Merriam Lake Meadows	fre6	Allow grazing; 15 stock nights available (critical areas YT, FC).
French	Merriam Benches	fre0	Allow grazing; 20 stock nights available.
Glacier Divide	Piute Creek Grazing Zone	fre18, gla2, gla12-13	Allow grazing, 133 stock nights available.
French, Glacier Divide	Chevaux Crk to Below Hutchinson	fre18, gla13	Allow grazing; 20 stock nights available
Glacier Divide	Hutchinson Meadow	gla12	Allow grazing; 73 stock nights available(critical areas - HY).
Glacier Divide	Humphreys Basin Grazing Zone		Allow grazing, 60 stock nights available in upland areas north of Golden Trout lakes.
Humphreys	Golden Trout to Desolation (below 11,000)	gla0	Allow grazing; 60 stock nights available (critical areas - RR).
Glacier Divide	Lower Honeymoon Lake	gla9	Unsuitable; do not allow grazing.
Glacier Divide	Golden Trout Lake (West and North)	gla11	Unsuitable; do not allow grazing (critical areas - YT).
Glacier Divide	Golden Trout to Summit Lakes	gla1	Unsuitable; do not allow grazing (critical area - YT).
Glacier Divide	Packsaddle Lake Meadows	gla8, gla8.5	Unsuitable; do not allow grazing (critical area - FC).
Glacier Divide	Packsaddle tributary along Piute Creek	gla7	"Sierra Club" camp to Packsaddle tributary along Piute Creek (Golden Trout Lakes): Unsuitable; do not allow grazing (critical area - YT).
Glacier Divide	Muriel Lake/ Goethe Lakes	gla3, gla5	Unsuitable; do not allow grazing.
Glacier Divide	North of Summit Lake	gla4	Unsuitable; do not allow grazing (critical area - YT).
French	Upper French Canyon - meadows above 10,600 feet elevation	fre4, fre11, fre13	No grazing zone in upper French Canyon. All grazing is below 10,760 feet in the French Canyon Grazing Zone
Pine	Upper Pine Lake, Honeymoon Lake, etc.	pin1-11	Prohibit grazing
Humphrey's	Desolation to Humphreys	hum2	Unsuitable above 11,000; do not allow grazing.
Granite	Honeymoon Lake to Italy Pass	grp1-4	Unsuitable; do not allow grazing
Apollo	Marcella Lake Grazing Zone.	apo1-2, apo5-9, apo18	Allow grazing, 29 stock nights available.
Apollo	Marcella Lake	apo2	Allow grazing; 15 stock nights available (critical area - YT).
Apollo	Cirque Lake	apo5	Allow grazing; 14 stock nights available.
Bear Lakes, Seldon	Rosemarie/ Lou Beverly Grazing Zone	bel1, bel7, sel1-5	Allow grazing, 165 stock nights. Also in Seldon analysis unit.
Bear Lakes	East Fork Bear Creek (Upper)	bel7	Allow grazing; 34 stock nights available.
Seldon	Rosemarie Meadow	sel1	Allow grazing; 93 stock nights available. Two-year rotation with Hilgard Meadow

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
Seldon	Rose Lake Meadow	sel2	Allow grazing; 33 stock nights available. Must define access route for both campsite and grazing (critical area - YT)
Seldon	Lou Beverly Meadows (above inlet)	sel3	Allow grazing, 39 stock nights (critical area - YT)
Ershim	Lakecamp/ Mallard Grazing Zone	ers1, ers2	Allow grazing, 25 stock nights available.
Dutch	Dutch Lake Grazing Zone	dut45	Allow grazing, 25 stock nights available.
Hooper	Jackass Meadow Grazing Zone	hoo3	Allow grazing; 2025 stock nights available, including Pasture Permit, including inside and outside wilderness.
Hooper	Poison/Hell Hole Grazing Zone	hoo1, hoo2	Allow grazing; 762 stock nights available including Pasture Permits.
Hooper	Poison Meadow	hoo1	Allow grazing; 320 stock nights available including Pasture Permit.
Hooper	Hell Hole Meadow	hoo2	Allow grazing; 442 stock nights available including Pasture Permit (critical area - YT).
Italy	Hilgard Creek Grazing Zone	ita2	Allow grazing, 57 stock nights available.
Italy	Hilgard Meadow	ita2	Hilgard Meadow: 57 nights available. Monitor trend and re-evaluate grazing every three years. 2 year rotation with Rosemarie Meadow.
Sallie Keyes	Sallie Keyes Grazing Zone	sak1, sak4-8, sak11-14, sak16	Allow grazing, 420 stock nights available.
Sallie Keyes	Boot Lake Meadow and Old Trail Meadow	sak5, sak6	196 stock nights. The steep springs in Boot Meadow and areas that never reach range readiness in Old Trail Meadow are "critical areas".
Sallie Keyes	Big Fen Meadow	sak7	Unsuitable: do not allow grazing (critical area - FC).
Sallie Keyes	Water Trail Meadow	sak1	Allow grazing; 224 stock nights available. (critical areas – HY, RR).
Sallie Keyes, East Florence	Shooting Star Blayney Grazing Zone	eaf2, sak15, sak17, sak18	Allow grazing, 1,830 stock nights available.
Sallie Keyes	Shooting Star Meadow	sak15	Allow grazing; 35 stock nights available.
Sallie Keyes	Lower Blayney Meadow	sak17, sak18	Allow Grazing; 544 stock nights, including pasture permit
East Florence	Double Meadow	eaf2	Allow grazing; 1251 stock nights available.
Ward Mtn	Heather Lake Grazing Zone	wam13-15, wam 18	Allow grazing, 25 stock nights available.
Ward Mtn	Ward Mountain Grazing Zone	wam2	Allow grazing, 25 stock nights available.
Dutch, Hobler	Thompson Lake Burnt Corral Grazing Zone	dut3, hob2-3, hob12, hob17, hob19-20, hob30	Allow grazing, 8 stock nights available (critical area - YT).
Dutch	Rodeo Meadow Grazing Zone	dut25-31, dut33, dut53-54	Allow grazing, 25 stock nights available.
Seldon	Marie Lake Meadow	sel6	Unsuitable: do not allow grazing (critical area - YT).
Italy	Upper Hilgard Meadow	ita1	Unsuitable: do not allow grazing (critical area - FC).
Italy	Very Upper Hilgard Meadow	ita5	Unsuitable; do not allow grazing.
Basin	Blackcap Basin Grazing Zone	bas3	Allow grazing, 43 stock nights available.
Basin	Lighting Corral	bas3	Allow grazing; 27 stock nights available.
Basin	Maxson Lake Grazing Zone	bas10	Allow grazing, 25 stock nights available.
Basin	Kings River Grazing Zone	bas4, bas6, bas9	Allow grazing, 62 stock nights available.
Bench	Falls/McGuire Grazing Zone	ben8, bim17-18, bim21	Allow grazing, 193 stock nights available.
Bench	Upper Falls Creek	ben8	Allow grazing; 11 stock nights available.
Big Maxson	McGuire Lake Meadow	bim17	Allow grazing : 160 stock nights (critical area - YT).
Big Maxson	Fall Creek / Bench Valley	bim21	Allow grazing; 22 stock nights available.
Big Maxson	Lower Meadowbrook Grazing Zone	bim5	Allow grazing, 145 stock nights available.

Analysis Unit	Grazing Zone/Key Meadow Area	Key Area ID #	Direction
Big Maxson	Meadow-brook Meadow	bim5	Allow grazing; 145 stock nights (critical area - FC).
Big Maxson	Kings River Fleming Junction Grazing Zone	bim20, bim22	Allow grazing, 400 stock nights available.
Big Maxson	North Fork Kings River/ Fleming Outlet Meadow	bim20	Allow grazing; 400 stock nights available.
Crown Basin	Crown Creek North Grazing Zone		Allow grazing, 27 stock nights available
Crown Lake	Scepter Lake Grazing Zone	crl1, crl3, crl35	Allow grazing, 25 stock nights available (critical area - YT).
Finger	Duck Lake Grazing Zone	fin1, fin3-5, fin8, fin20, fin22	Duck Lake Grazing Zone: Allow grazing, 25 stock nights available.
Finger	Chain Lake Grazing Zone	fin12	Allow grazing, 25 stock nights available.
Fleming Mountain	Fleming/Dale/Lower Indian Grazing Zone	fle4-7, fle9, fle10-13, fle19-23, fle25, poc13, rmb8-10, rmb17	Allow grazing, 621 stock nights available. Included in Red Mountain AU.
Fleming Mountain	Dale Lake Meadow	fle6	Allow grazing; 280 stock nights available.
Fleming Mountain	Lower Indian Lake Meadow	fle12	Allow grazing; 237 stock nights available (critical areas - HY).
Fleming Mountain	Above Fleming Meadow	fle21	Allow grazing; 77 stock nights available (critical areas - RR, FC).
Red Mountain	North of Devils Punchbowl	rmb10	Allow grazing; 27 stock nights available.
Red Mountain	Disappoint-ment Lake	rmb16	No grazing approved.
Hobler, Dutch	Thompson Lake Burnt Corral Grazing Zone	dut3, hob2-3, hob12, hob17, hob19-20, hob30	Allow grazing, 8 stock nights available (critical area - YT).
Post Corral	Reddys Hole	poc1-3, poc7-9	Allow grazing, 25 stock nights available.
South Woodchuck	South of Chimney Lake Grazing Zone	sow12, sow15	Allow grazing, 25 stock nights available.
Hobler	Red Rock Basin Grazing Zone	hob7, hob9, hob31-38	No grazing approved

Drift Fences

Location	Final	Reasoning for Alternative 2 - Modified
Shadow Lake/Ediza Trail	no	Fence no longer exists.
Trinity Lakes Trail	no	Fence no longer exists.
John Muir Trail	no	Fence no longer exists.
Hemlock Crossing	yes	Fence provides resource protection.
Horse Heaven	yes	Fence prevents stock from entering areas closed to grazing. Without the fence stock could return to the pack station via 51T which travels through the area closed to grazing at Purple Lake and Duck Lake outlet.
Purple Lake	no	Fence could be relocated for resource protection if Purple Lake Meadow is opened to grazing after the required rest period.
Fish Valley	yes	Fence will prevent stock from entering an area closed to grazing at Second Crossing and Fish Creek Hot Springs.
Cascade Valley	yes	Fence will prevent stock from entering the two meadows located at the junction of the Purple Lake and Fish Creek trails which are closed to grazing.
String Meadow/Coyote	yes	Fence is located at the top of several switchbacks and should be relocated at the section entering the meadow. Trail is being short cut by stock moving up and down the hill to the fence causing severe resource damage to the trail.
Island Crossing	yes	Fence provides safety to visitors and resource protection. Fence prevents stock from traveling back to the pack station via the Fish Creek Hill Trail. Trail does not provide turnouts, safety zones or passing areas should pack stock or private stock users meet on the trail. Loose stock on the trail would create safety issues with hikers as well. (There are very few areas to get off trail and out of the way in certain situations.) Loose stock would cut trails on route to pack station causing resource damage to trail system.
Fish Creek Springs	no	Fence no longer exists.
Lee Lake	no	Fence no longer exists.
Quail Meadow	no	Fence no longer exists.
Second Recess	no	Fence no longer exists.
Lower Pine Lake	no	Fence will be removed.
Hilgard Creek	yes	Fence provides safety to visitor and resource protection by stopping stock travel down canyon to the junction of the 51T and traveling north or south. Interaction with loose stock can create a safety issue for hikers and other stock users.
Pinnacle Creek	yes	Fence prevents stock from traveling down trail, cutting switchbacks and traveling outside of trail corridor. Fence also prevents stock from traveling upstream and gathering with other stock users at Hutchinson Meadow.
Blayne Meadow	yes	Fence prevents stock from entering private land.

Location	Final	Reasoning for Alternative 2 - Modified
Minaret/Johnston Meadow	yes	Fence prevents loose stock from traveling on and off trails and entering National Park lands (Devil Postpile) in route back to the pack station at Reds Meadow.
French Canyon	yes	Approval for a temporary fence to prevent resource damage to areas around Waterfall Camp.
Glacier Divide	yes	Fence will prevent stock from entering an area closed to grazing above the camp and in the general area around Golden Lake. Prevent loose stock from traveling back to pack station and cutting trails causing additional trail damage.
Upper Fish Creek	no	Remove fence at Tully Hole. Fence serves no purpose since grazing does not occur by pack stock at Tully Hole.
Hilton Creek	yes	Fence provides safety to visitors and resource protection (fence at Turk Meadow) prevents stock from traveling back to trailhead and onto highway.
Morgan Lake	no	Remove drift fence.
Spooky Meadow Lower/Upper	yes/no	Remove fence between the two meadows to prevent additional resource damage/stock grazing in a confined area.

Appendix D:

Kaiser Wilderness Commercial Pack Stock Needs Assessment

Sierra National Forest



Background and Purpose

This assessment of the need for pack stock supported commercial operations in the Kaiser Wilderness is driven by Forest Service policy and the Wilderness Act. In addition a Court Order issued in 2001 (and upheld by the 9th Circuit in 2004) directs the Forest Service to complete the appropriate environmental analysis in compliance with the National Environmental Policy Act (NEPA) in order to issue Special Use Permits for all¹ pack stations using the Ansel Adams and John Muir Wildernesses, on both the Inyo and Sierra National Forests. The Court set a deadline of December 2006 to complete the appropriate site specific NEPA documentation.

To complete the NEPA and issue Special Use Permits for all facets of commercial pack stock operations the analysis must include not only the use within the Ansel Adams and John Muir Wildernesses but also the facilities (buildings, corrals, etc.), use outside the wilderness and use in other wildernesses.

One supporting piece of documentation that is necessary on the path to issuing a Special Use Permit is this Needs Assessment for the commercial pack stock use in the Kaiser Wilderness. An extensive Needs Assessment was completed for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses (AA/JM/DL) was completed in 2005. It is Appendix D in the 2005 FEIS, *Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses*. Thus, on the Sierra National Forest only the Kaiser Wilderness does not have a current Needs Assessment.

Based on the direction outlined below this assessment will determine the need for pack stock supported operations in the Kaiser Wilderness and the extent to which they are necessary. It will not determine the type, amount or numbers of use that will be allocated. That determination will be made in the NEPA document that analyses the individual pack station Special Use Permits. The permit reissuance NEPA document will tier to, and build on the findings of this analysis.

This needs assessment for the Kaiser Wilderness is similar to the analysis completed for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses and cites the information gathered for those wildernesses frequently. Due to the small size of the Kaiser and relatively little use this document does not repeat the depth of information that pertains to central Sierra Nevada wildernesses in general that was presented in the AA/JM/DL Needs Assessment.

Area Covered by Assessment

This assessment focuses on the Kaiser Wilderness located in the Sierra National Forest. The Kaiser Wilderness was established in 1976 and covers a total of 22,700 acres. It is located immediately north of Huntington Lake, approximately 70 miles northeast of Fresno.

¹ Two pack stations, High Sierra and D&F were found to have an adequate NEPA analysis supporting their Special Use Permits; however those permits expired during the timeframe allowed by the Court. Consequently they are included in the Commercial Pack Station Permit Reissue Project.

Needs Assessments

The direction to assess the need for commercial outfitter and guiding stems from several sources within the Forest Service Manual (FSM). First, the overall objective for recreation special uses is “[t]o issue and administer special use permits for recreation uses that serve the public, promote public health and safety, and protect the environment” (FSM 2721.02). This objective would indicate that some evaluation is necessary to ensure that proposed commercial recreation activities meet each of the elements stated.

More specific direction is contained in the FSM where outfitter and guiding in wilderness is involved. “Address the need for and role of outfitters in the forest plan. The plan must address the type, number and amount of recreation use that is to be allocated to outfitters. Ensure that outfitters provide their service to the public in a manner that is compatible with use by other wilderness visitors and that maintains the wilderness resource” (FSH 2323.13g). This statement provides the strongest direction to assess the need for commercial O/G services in the wilderness.

Outfitter/Guide

The Forest Service Handbook (FSH) delineates two objectives for issuing permits for O/G activities.

1. As identified in forest land and resource management plans, provide for commercial outfitter and guiding services that address concerns of public health and safety and that foster small business. (FSH 2709.11; 41.53a)
2. Encourage skilled and experienced individuals and entities to conduct outfitting and guiding activities in a manner that protect environmental resources and ensures that National Forest visitor receive high quantity services. (FSH 2709.11; 41.53a)

Wilderness

The authorizing language in the Wilderness Act of 1964 (Public Law 88-577) for commercial services states: “Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreation or other wilderness purposes of the areas.” This provides the basis for conducting a needs assessment that evaluates the “extent necessary” that commercial services are needed, and includes an appraisal of the “proper” activities “for realizing the recreation or other wilderness purposes of the areas”.

The statement “recreational or other wilderness purposes of the Act” is clarified earlier in the Act in Section 4(b) which specifies that “except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.”

Forest Service policy further states “Consistent with the management of wilderness, permit outfitter and guide operations where they are necessary to help segments of the public use and enjoy wilderness areas for recreation or other wilderness purposes” (FSM 2323.12). This statement also supports preparing a Needs Assessment in addition to validating the value of outfitters and guides in a wilderness setting.

LRMP-Wilderness Direction

The Sierra Land and Resource Management Plan (LRMP), as amended, provides both general and specific management direction for the Kaiser and all other wilderness areas on the Sierra NF, including the Ansel Adams, John Muir, Dinkey Lakes and Monarch Wildernesses.

Overall the LRMP goal and objective for wilderness is:

Manage wilderness to meet recreational, scenic, educational, conservational, and historic uses, as well as preserving the wilderness character. (#4, pg. 4-1)

The Standards and Guideline for all wildernesses on the Sierra NF simply states:

Provide opportunities for public use, enjoyment and understanding of wilderness. (S&G #30, pg. 4-14)

Over the past several years' wilderness LRMP direction for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses has been substantially updated and amended by the 2001 Wilderness Plan, which was further amended by the 2005 Commercial Pack Stock EIS. The Kaiser Wilderness was not included in any of these planning exercises. Early in the wilderness planning process, which started in 1991, it was recognized that the Kaiser Wilderness was sufficiently different from the other wilderness areas on the Forest to warrant a separate management plan. It is relatively small, geographically separated, has different use patterns (more day use and less overnight use), and is adjacent to the near-urban environment of Huntington Lake. All of these factors contributed to the decision to prepare a separate Kaiser Wilderness plan. Due in part to the massive planning efforts in the other wildernesses, a Kaiser Wilderness Management Plan has never been initiated. Therefore the management direction contained in the 1991 LRMP is still valid.

The Kaiser Wilderness is within Management Area 3, Wilderness Analysis Area 39. Specific applicable direction includes:

- ♦ Limit party size and number of stock per party to a level that protects social and natural resource values. The level may vary within or between Wildernesses. (S&G #372, pg. 4-31)
- ♦ Limit overnight visits to 7 days. (S&G #373, pg. 4-31)
- ♦ Prohibit overnight camping closer than 200 feet to Upper Twin, and Nellie Lakes. (S&G #374, pg. 4-31)
- ♦ Prohibit pack and saddle stock closer than ¼ mile of Jewell, Campfire, Walling, Bill, Bobby and Bonnie Lakes. Use closer than ¼ mile is prohibited unless covered under a special use permit. (S&G #375, pg. 4-31)
- ♦ Issue no additional commercial packer or commercial backpacking permits, except for cross-country skiing activities. (S&G #376, pg. 4-32)

LRMP-Commercial Direction

The LRMP does not contain much direction regarding commercial outfitter and guiding uses, especially specific to commercial uses within the Kaiser Wilderness. In general the LRMP states:

Provide for upgrading commercial recreational service and facilities such as stores, outfitters guide services, resorts, etc. Existing permittees will be allowed to expand in response to public demands within existing recreational development and experience level. (S&G # 7, pg. 4-12)

For the Kaiser Wilderness there is specific direction in S&G #376 (see above section) to not issue any additional commercial Special Use Permits.

As noted above there have been substantial amendments related to management of commercial pack stock use in the Ansel Adams, and John Muir with the 2005 Commercial Pack Stock Direction, but none of these amendments pertain to the Kaiser Wilderness.

Role of Outfitter/Guides

Outfitting and guiding are historical professions the world over. From expeditions and explorers to modern day vacationers, there have always been people capable and willing to share their knowledge, skill and equipment with people who need their assistance. The Hudson's Bay Company, Lewis and Clark, John Wesley Powell, Jedediah Smith, Sacajawea, John Muir, Jim Bridger, the westward wagon trains, and famed mountain guides of the Alps were associated with early outfitters and guides. Teddy Roosevelt, an ardent supporter of public land, frequently utilized outfitters and guides to show him the country (USDA Forest Service, 1997)

On the public lands of the United States, and in particular the National Forests, outfitters and guides provide visitors seeking their assistance a quality experience as an extension of the agency's mission. Outfitting and guiding provides a small fraction of the total recreation use experiences on the National Forests, but it is an important segment to the visitor, the agency, the resources, and the economy of the communities where outfitters are based (USDA Forest Service, 1997).

Types of Visitors and Groups

Commercial pack stock outfitters provide a number of services to both the public and private sectors. The make up of groups using the wilderness varies from individuals to large parties. (There is a limit of 15 people per group in the Kaiser Wilderness.) Groups come to the wilderness with different motivations, all of which are served by outfitter and guides.

Family and Multi-generation Groups: Many individuals and families have traditionally engaged in summer wilderness pack stock trips in these wildernesses areas. Grandparents (and great-grandparents) who have spent many summers in the Sierra want to share and experience the wilderness with their children, grandchildren, and great-grandchildren—all together. More and more "Baby Boomers" who were backpackers in the 1970s now need the services of packers in order to access these areas with their families and children. For these family groups, the Sierra experience is very important to them for their wilderness recreation and enjoyment, and to pass along to their children and families their wilderness values. Because many of these families have young children or members unable to walk or carry their own equipment, the packer services are needed to transport equipment into the wilderness. For others, the riding and pack trip itself is the experience desired; many people who

want to experience a stock supported trip do not have access to pack and riding stock or knowledge to use them.

Organized Groups: Groups sponsored by Boy and Girl Scouts, churches, YMCAs, schools, universities, companies, conservation groups, clubs, organizations, camps, inner-city youth programs, and others commonly require packer services to provide support and logistics for wilderness trips. Many of these groups have been taking pack-supported trips for decades, some even pre-dating the Wilderness Act. Without packer services, many of these groups would not be able to serve their group needs, as often not everyone is capable and fit enough to walk and carry their own gear.

Special Function Groups: These trips are generally organized for a specific purpose related to wilderness use; they often focus on an educational aspect of wilderness such as photography, art, writing, spiritual enrichment, research, medicine, nature study, etc. Agency sponsored trips are also supported by pack and riding stock, and include trail crews, search and rescues, fish stocking, resource survey crews, mapping specialists, military personnel, and Congressional representatives. Special function groups often have materials and equipment too bulky and heavy to carry with backpacks and include members who are not capable of walking or carrying their own equipment.

General Outings: These trips are by visitors who travel individually or gather with a small group of friends, family, or work associates and take a commercial pack-supported trip to simply enjoy and experience the wilderness. They may engage in several types of activities while in the wilderness such as day hikes from a base camp, fishing, photography, etc. Many of these visitors desire to experience wilderness riding and using pack stock, but do not have access to private stock or the knowledge to properly use and handle pack stock in a wilderness setting.

History of Commercial Pack Operations

The history of commercial packing in the central Sierra Nevada started over 100 years ago and has been well documented (USDA Forest Service, 2005). Initially pack supported trips for the purpose of hunting and fishing were the primary use of the backcountry areas. The packing industry has had its ups and downs over the years due to changes in public interests, war, and economic conditions. In general commercial pack stations hit their peak in the ten years or so following WWII. Since the 1950's the number of pack stations has decreased. Likewise the number of stock and clients serviced has also decreased (USDA Forest Service, 2005).

The history of stock supported trips in the Kaiser Wilderness has followed the pattern of the packing industry in general. Currently there is one service provider, based at Huntington Lake. Operations started in this area in the 1910's and 1920's primarily as support for Southern California Edison surveyors. By the 1930's it was serving tourists in conjunction with the Lake Hotel Company. In 1945 Dillard and his son Floyd Fike purchased the operation, hence the name D&F Pack Station. The current owner purchased the business in 1980.

Packer Services

Currently there are several types of stock supported trips in the Kaiser Wilderness including the following:

Spot Trips: Visitors ride and their gear is packed into the destination. The stock and packer do not spend the night in the wilderness but may return on a predetermined date to take the visitors out. Some trips are one-way spots in which the clients ride in and their gear is taken in and then they hike out at the end of their trip.

Dunnage Trips: Similar to a Spot Trip but the clients walk in and only their gear is transported to the destination. Dunnage Trips may also be only one-way service where the client then hikes out with their gear at the end of the trip.

Resupply: At some point after the client is already in the wilderness, pack stock bring in supplies to replenish the clients provisions. This type of service most commonly occurs when there are large groups camped in the wilderness for long periods, such as with Boy Scouts, or other outfitters and guides.

All Expense/Traveling Trips: There are trips where the pack station provides at least some services for the duration of the trip. There are many variations that may include: continuous hire of the stock, where the stock are held in the wilderness and are available to the clients for day trips; full service, where there is a cook and food is provided; and traveling, where the party moves from camp to camp to visit several areas. These are customized trips that are put together to meet the visitor specific needs. These types of trips represent the “classic” Sierra pack trip that is pre-planned and advertised where the clients merely need to signup and bring their personal gear.

Day Rides: Rides that vary in length from ½ hour to all day, but visitors do not camp overnight. These may include rides to view the scenery, experience horseback riding, and take photographs. Some may include a destination for day hiking or fishing. Service may include a box lunch, fishing gear, etc.

Current Situation

Overall Use

The table below summarizes the basic use data for overnight use in the Kaiser Wilderness for the past five years (2001-2005). The data is from Wilderness Visitor Permits which are required for overnight trips.

Table 1: Summary of Total Use in Kaiser Wilderness

	Average	High (yr)	Low (yr)
People	1227	1493 (2002)	785 (2001)
Permits	235	315 (2002)	102 (2005)

There are eight trailheads entering the Kaiser Wilderness each with a daily quota. Currently all overnight users are subject to the quota including all commercial users.

Table 2: Kaiser Wilderness Trailheads and Quotas

This table shows the maximum number of overnight visitors allowed (quota) to enter the Kaiser Wilderness per day per trailhead.. It also shows trailhead use by the public and commercial pack stations, by # of permits issued between 2001 and 2005.

Trailhead	Code	Daily Quota	Total # Permits	# Comm. Packer Permits	% of Permits Issued to Comm. Packers
Sample	K1	36	354	0	0.0%
Potter Pass	K2	36	555	1	0.2%
Potter Cutoff	K3	12	52	0	0.0%
Deer Creek	K4	12	116	41	35.3%
Billy Creek	K5	30	167	1	0.6%
Coarsegrass Meadow	K6	12	0	0	0.0%
Hidden	K7	12	5	0	0.0%
Pryor	K8	12	28	0	0.0%
<i>Total</i>	<i>N/A</i>	<i>N/A</i>	<i>1277</i>	<i>43</i>	<i>3.4%</i>

The Kaiser Wilderness receives a significant amount of day use from visitors that do not spend the night within the wilderness. There is no permit required for day use so consequently use figures do not exist and there are no credible estimates of the total amount of day use. Most of the day use enters from the southern boundary of the wilderness, which is adjacent to Huntington Lake. During the summer this is a major recreation hub with over 500 recreation residences, 12 public facilities including campgrounds, day use areas and boat launches, and several resorts and camps all accessible by State Highway 168.

Commercial Pack Station Use

Overnight

There is only one commercial pack station that uses the Kaiser Wilderness. Their use averages only 5% of the use based on the number of people, and 3.4% based on the number of wilderness permits issued.

Table 2 above shows how the pack station use is distributed amongst the eight trailheads entering the Kaiser Wilderness. In general the entry points are different than the general public so conflicts on the trails are minimal near trailheads. However due to the small size and limited number of destinations in the Kaiser Wilderness, most visitors to the Kaiser Wilderness are headed to the larger lakes, and more encounters between commercial pack stock and private visitors are likely to occur at these locations (specifically at one of the six lakes identified in Figure 3).

Currently the vast majority of the services supplied consist of spot and dunnage trips. Only two trips in the past five years have been full service (approx 5% of all trips that required wilderness permits). The average size of groups serviced by the pack station is 6.2 people which is slightly more than the overall average of 5.1 people per group for the general public.

Table 3: Summary of Pack Station Use in Kaiser Wilderness, 2001 to 2005
(Source: Wilderness Permit Database)

	Average	High (yr)	Low (yr)
People	57	107 (2002)	19 (2005)
Permits	9	14 (2001)	4 (2005)

Figure 1: Overnight Use by Type

This figure compares public and commercial packer use.

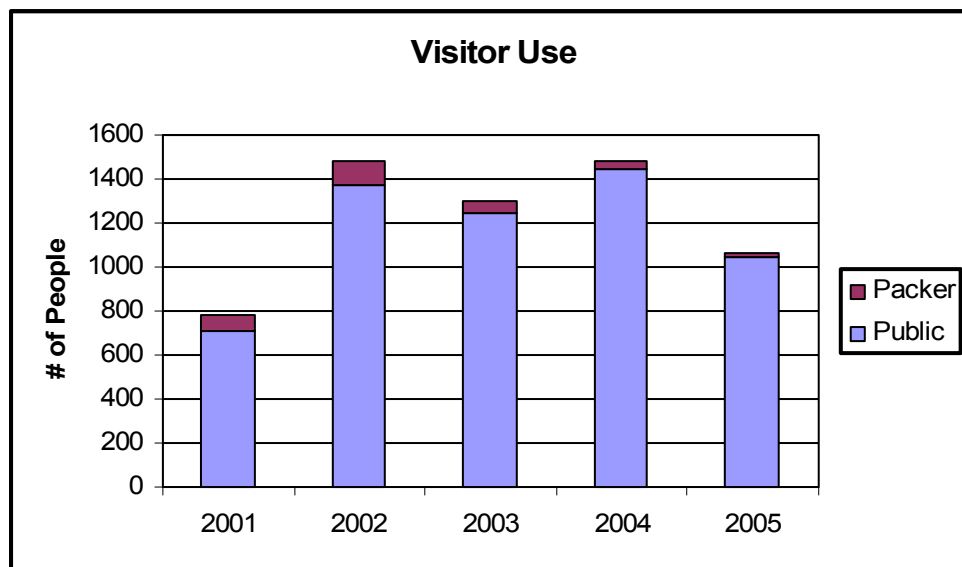


Figure 2: Percentage of Overnight Use by Type

This figure shows that the average packer use from 2001 to 2005 is only 5% of the total use.

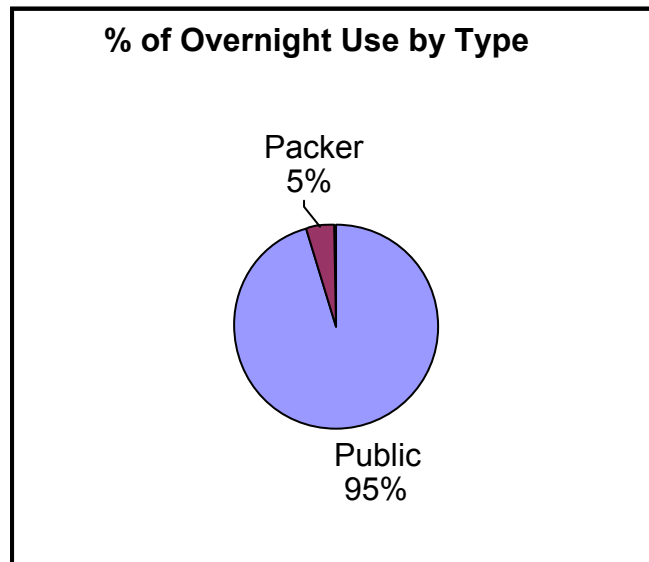
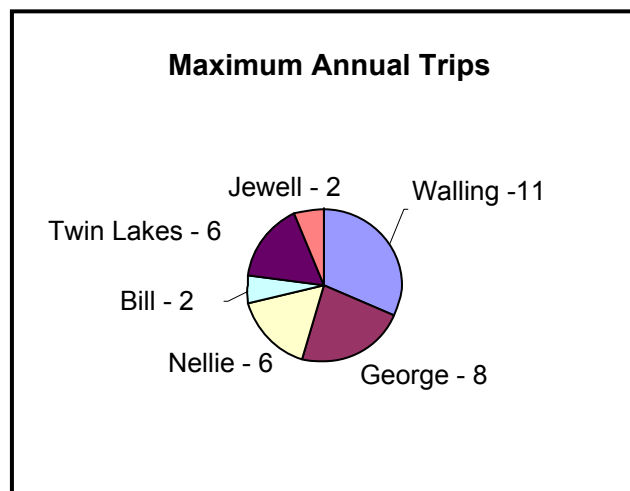


Figure 3: Packer Use by Destination

This chart shows the maximum number of annual trips for destinations inside the Kaiser Wilderness from 2001 to 2005.



Day Use

The current pack station operation runs a variety of day rides out of their headquarters near Huntington Lake. Some of the routes used briefly enter the Kaiser Wilderness on the 26E06

(Kaiser Loop Trail) and 26E65 trails. Reports from 2001 through 2005 indicate an average of 1,655 clients per year pass through a portion of the Kaiser Wilderness.

Current Need for Commercial Packing Services in the Kaiser Wilderness

This section analyzes the need for of commercial pack stock use in the Kaiser Wildernesses. The analysis consists of two tests, and extrapolates data from the user survey conducted for the needs assessment completed for the AA/JM/DL Wildernesses (USDA Forest Service, 2005).

Survey

In 2005 the Forest Service conducted a survey of pack station clients using the Ansel Adams and John Muir Wildernesses in 2004, both on the Inyo and Sierra National Forests (USDA Forest Service, 2005). While the survey did not include pack station clientele that used the Kaiser Wilderness, the types of commercial services offered in the Kaiser Wilderness are nearly identical to those offered in the AA/JM/DL Wildernesses, therefore it was determined that the need for those services would be very similar if not exactly the same.

An additional reason that a survey of clients in the Kaiser Wilderness was not conducted in 2006 was due to the low overnight commercial pack stock use over the last several years. In 2005 there were only four parties using overnight commercial pack stock services and over the past four years the average was only nine parties per year. Using the 2005 Survey return rate of fewer than 70%, it is likely that only two or three surveys could have been expected to be returned by Kaiser Wilderness clientele from the 2005 season. Surveys with such a small sample size would not produce sound data.

Therefore, due to the availability and relevance of results from the Survey for the AA/JM/DL Wildernesses (USDA Forest Service, 2005); and the probability of lack of sound data from a specific Kaiser Wilderness survey; the Forest Service elected to extrapolate data regarding need for commercial pack stock services in the Kaiser Wilderness from the 2005 survey. To further refine the data set from the 2005 Survey, only data from those clients that entered the AA/JM/DL Wildernesses from the westside of the Sierra Nevada was selected and used to extrapolate a determination of need for the Kaiser Wilderness. Of 102 parties that were sent surveys that used west side pack stations for trips into the Ansel Adams and John Muir Wildernesses, 69 parties, or 68%, returned the survey. Given the average party size of 6.1 clients per party, this means the survey potentially represented the opinions of approximately 420 people.

The objectives of the 2005 survey were:

1. Ascertain the reasons clients, as a group, took a commercial trip. The reasons are grouped in terms of the public purposes of wilderness;
2. Determine whether the group's choice of a commercial trip was based on one or more of the six categories of need;
3. Determine the current level of public need for commercial services.

Test One: Public Purposes of the Wilderness Act

The first test examines survey responses on trip activities and evaluates whether the services currently provided by the outfitters are consistent with the public purposes of the Wilderness Act. The Wilderness Act allows for commercial services in the wilderness that support “activities which are proper for realizing the recreational or other wilderness purposes of the Act.” The language “recreational or other wilderness purposes of the Act” is clarified by Section 4(b): “Wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.”

The following is an overview of the ways in which commercial packers contribute to the public purposes of the Recreational, scenic, scientific, educational, conservation and historical uses of the Wilderness Act.

Recreational: Recreation trips are for relaxation, fishing, hiking, horseback riding, photography, enjoyment of the wilderness areas, and to basically get away from the urban environment. The historic and classic “Sierra Pack Trip” fits into this type of use. Packers offer services and support that allows visitors to use wilderness areas for these types of recreation purposes. Without packer services, many of these visitors would not have the opportunity to recreate in these areas.

Scenic: The Kaiser Wilderness provides spectacular vistas of the crest of the Sierra Nevada, the San Joaquin River drainage, and forested areas west of Kaiser Peak, as well as intimate views of classic montane red fir forest within the wilderness itself. In addition, the high alpine lakes scenery is relatively easy to access in the Kaiser Wilderness when compared to most other alpine lake settings in the wilderness areas throughout the Sierra Nevada range. Pack station operators make it possible for many people who otherwise could not hike to see and appreciate the scenery of these areas.

Scientific: Natural resources research and study has been conducted in this wilderness by agencies, universities and other organizations. Generally, equipment and supplies needed to support the research is bulky and heavy, and must be transported to remote locations. Commercial pack stock services are generally the most suitable and appropriate form of transport in these wildernesses. The alternative modes of transport, such as helicopters, are less appropriate. Packers play a significant role in facilitating the transport of equipment for these research projects. Without their services the impact on the wilderness solitude would certainly be more significant as researchers and agencies would be forced to rely more frequently on mechanical transport.

Educational: The Kaiser Wilderness is a natural learning center. Universities, organizations, agencies, and individuals use these types of areas for educating students, members, and personnel. Pack stations often are needed to transport base camps, personnel, and equipment to wilderness locations.

Conservation: Historically, commercial packers have contributed to the conservation component of the public purposes of the Wilderness Act by facilitating

public access into the wilderness areas of the Sierra Nevada and by providing support for conservation related activities in these wilderness areas. The early days of the Sierra Club outings in the Sierra Nevada, for example, were primarily supported by commercial pack stock. Today, commercial packers continue to build constituency for the wilderness concept by providing access to these wildernesses for individual and groups who might otherwise not have the ability to experience and enjoy the areas.

The Forest Service, California Department of Fish and Game, California Water Resources Department, and other agencies use the services of pack stations for supporting resource and conservation work in wilderness such as removal of litter and trash, trail maintenance, and watershed restoration. Studies and inventories by agency specialists sometimes use packers. Packers are also called upon to provide the support for “partnership and policy trips” including federal agencies, congressional representatives and staff, judges, county and state leaders to discuss and review conservation efforts and work.

Historical: A “Sierra Pack Trip” is considered by some to be the ultimate experience reflective of our rich western and wilderness heritage. While commercial pack stock services have the practical function of transporting people and equipment into the wilderness, their services are part of the wilderness experience itself and provide an opportunity for people to experience the traditional pack stock trip. Without commercial packing services, many people who desire this historical experience would not be afforded it, as few people have the necessary pack stock, skills, knowledge, or experience to use pack stock in a wilderness setting by themselves. Not only is the history of these central Sierra Nevada wildernesses deeply rooted in the use by commercial pack stations, many of the prominent landmarks are also either named by or after packers. Packers pass along their historical knowledge to their clients and enrich their experiences and understandings of these areas and about wilderness itself.

In the 2005 survey, an overwhelming majority, 98%, stated that wilderness was a necessary element for their trip, and 84% stated they would not have taken the trip without commercial pack stock services. 87% were repeat clients of packing services. The type of trip is nearly identical to the data from the Kaiser Wilderness in that 5% took full service trips, and the remainder were spot or dunnage type trips.

Test 2: Need for Commercial Packing Services

The second test evaluates survey responses to determine whether clients needed to utilize commercial pack stock to experience the wilderness. Responses to the survey question: “Why did you choose to use pack and/or riding stock for your wilderness trip?” was used to determine the category of need (if any) the group fit into. This test addresses the Wilderness Act standard for need: “Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.” The following six categories of need have been identified:

1. Persons with physical limitations that make them unable to walk and/or carry their own equipment.

- Disabled persons
- Persons physically and medically limited (back/knee injury)
- Persons with diseases and health conditions that limit strenuous exertion (heart, hypertension, etc)
- Elderly and very young persons with limited mobility or endurance
- Persons lacking adequate physical conditioning to achieve desired experience or activity

2. Persons with equipment too bulky or heavy to carry.

- Photography equipment
- Water floatation devices such as rafts or canoes
- Supplies and equipment for extended stays or travel
- Search and Rescue equipment
- Equipment and materials necessary for approved uses and activities such as dam maintenance, mining, watershed and fish projects, etc.
- Equipment and materials necessary for Universities, contractors, and cooperators with approved studies
- Equipment and materials necessary for groups with extended trips into the backcountry

3. Hunters needing pack stock to haul game.

- Deer hunting in wilderness zones under State law

4. Persons desiring a wilderness “pack trip” or “day ride” experience.

- Persons desiring a pack trip but who lack knowledge or skills to handle or use stock in wilderness setting
- Persons desiring a pack trip but who lack wilderness knowledge to safely and properly travel and camp in a wilderness setting, and require professional assistance to guide and advise them
- Persons desiring a pack trip but who do not own stock, or otherwise have access to suitable pack stock
- Persons desiring a pack trip who own private stock suitable for wilderness use but who practically cannot use their own stock
- Persons who are seeking the traditional “Sierra Pack Trip”

5. Persons able to walk but affiliated with persons falling into need categories 1-4, and therefore included as member of commercial group.

6. Native American traditional walks or gatherings requiring pack stock to transport camps and persons not able to walk.

Decisions related to categories determined “not needed or necessary” were based upon either: (1) lack of demonstrated need, (2) activities not dependent upon a wilderness setting, or (3)

needs that clearly conflict with wilderness protections standards. Categories where commercial pack stock support is not necessary include:

- Persons able to walk and hike and carry their own equipment and their wilderness experience is not dependent upon using pack stock or riding horses
- Persons wanting horseback rides – but their experience is not wilderness dependent. For these individuals and groups, the horseback ride itself is the desired activity and a wilderness setting is not needed for this experience
- Persons owning private stock suitable for wilderness travel who also possess the skills and knowledge to properly use them in wilderness.
- People utilizing commercial pack stock to transport equipment that is not legal in wilderness (e.g., chain saws, bikes)

Rationale for Categories of Need

The first category of need is fairly straightforward and compelling. Persons who, because they are physically not capable of hiking and/or carrying camping equipment, require pack stock to transport them and their equipment into wilderness. The second category of need generally applies to trips undertaken for scientific, educational, and conservation purposes.

This type of trip requires pack stock assistance to carry bulky and heavy equipment and supplies, transport people with special needs, or to realize their desired wilderness experience. Without commercial pack stock support, many of these appropriate wilderness activities would not be possible. The third category of need is hunters that do not own their own stock and need commercial services to haul game out of the wilderness.

The fourth category of need applies to persons who may be able to walk and carry their own equipment, but elect to experience wilderness through an historical “Sierra Pack Trip.” Most private citizens wanting this kind of wilderness experience do not have the animals, equipment or specialized skills to handle pack stock, and need the services of commercial packers to obtain this experience. The history and practices of every wilderness area is different, and Congress clearly recognized that besides wilderness recreation, another important purpose of wilderness was the study and experience of its history. For most of the Sierra Nevada wilderness areas, using pack stock is a historical practice and part of the wilderness experience. The use of pack stock, and the packing profession, is deeply rooted in the history of these wildernesses. The Sierra Pack Trip is an appropriate and historical form of primitive recreation for these wildernesses.

The Wilderness Act does not specifically define or limit who can use wilderness areas. It states that wilderness areas “shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness....” The Act also specifies that wilderness, “has outstanding opportunities for solitude or a primitive and unconfined type of recreation” and “shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.”

Forest Service wilderness policy (FSM 2320) states: “Consistent with management as wilderness, permit outfitter/guide operations where they are necessary to help segments of the public use and enjoy wilderness areas for recreational or other wilderness purposes.”

Based on the Wilderness Act and Forest Service Manual policies, the Forest Service has determined commercial pack stock outfitters providing services in the Kaiser Wildernesses for visitors with one of the six categories of need comply with the meaning of the “extent necessary for realizing the recreational and other wilderness purposes of the Act.” These

service and activity needs are consistent with the outfitting and guiding services provided to the public in these areas before and after the 1964 Wilderness Act, and are consistent and compatible with the intended mode of primitive travel (foot and horseback) required by the Wilderness Act.

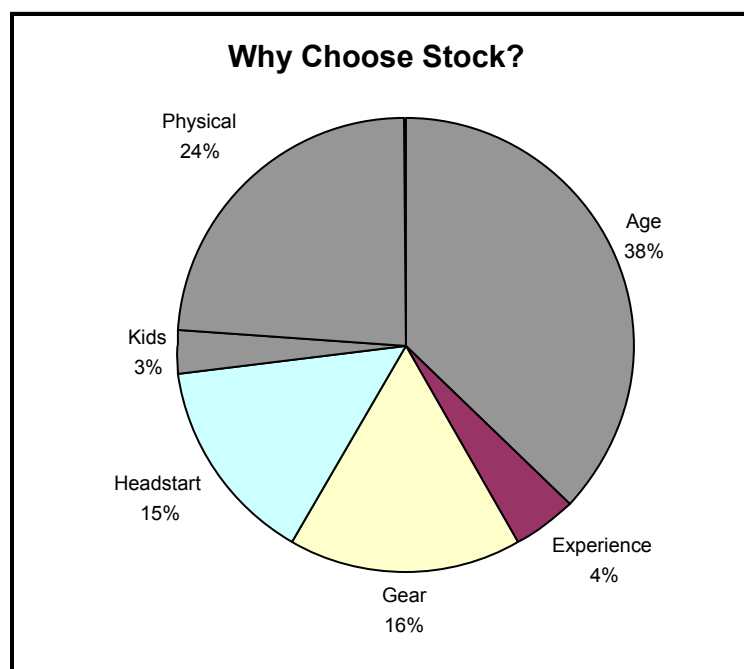
Survey Results for Test 2: Need for Commercial Services

Overnight Trips

Figure 4 below displays the responses for why people chose to engage the service of a commercial pack station. A total of 65% directly stated a physical or age issue as the reason they hired pack stock. And a total of 85% fell into one of the categories of need presented above. Since the Kaiser Wilderness is small it can be predicted that the number of people using packing services to deeper penetrate the wilderness and get a head start for a longer trip would be very low as compared to the AA/JM. Therefore it can be concluded that the people meeting one of the stated categories of need might be much higher for the Kaiser Wilderness than the AA/JM.

Figure 4: Why People Used Commercial Packing Services

Data from the Ansel Adams and John Muir indicated that 65% of pack station clients cited age or a physical limitation as the reason for hiring stock. Due to the small size of the Kaiser, using stock to get a head start on a longer trip would probably not be relevant.



The survey results also indicated that 98% of the respondents believed that wilderness was a necessary component of their trips, and 84% responded that they required the service of a pack station for their trip.

Day Rides

Although day riders were not included in the survey, pack stations report that a sizable percentage of day ride groups are typically made up of families with younger children. Day rides provide these groups with a new experience and are important in exposing younger generations to the forested environment. This suggests most day riders would need commercial services, i.e. category of need number four: persons wishing to have a wilderness-based horse back ride.

The demographic trends described below (particularly trends indicating an aging, more urban population) point towards an increased need for day rides in the future. Therefore, there is a need to continue to provide a range of day rides that will accommodate an expected increase in the need for this service.

D&F Pack Station is the only provider of horseback day rides in the Kaiser Wilderness. However only a very small portion of the wilderness is used for day rides that start at the headquarters and loop briefly through the wilderness and return to the pack station. The more common route for day rides does not include any portion of the wilderness, but rather travels along Huntington Lake on system trails.

Survey Conclusions

The results of the survey conducted on AA/JM pack station clients indicate that the vast majority of clients are utilizing commercial stock for activities that are proper and consistent with the intent of the Wilderness Act. The over whelming majority of the groups that utilize commercial stock are in one of the identified need categories and would not have been able to take a trip without the service. Commercial pack stock provides an essential service to the individuals and groups that utilize it; it is likely that most of these individuals and groups would have limited or no access to the wilderness without commercial pack stock services.

Projected Need for Commercial Pack Stock Services in the Kaiser Wilderness.

The public's need for commercial services will increase in the future. Projecting the amount of increase, however, is difficult. For example, there are externalities that cannot be controlled such as annual fluctuations in the snow pack (which controls the start of each operating season), periodic fluctuations in the general economy, or the future price of gasoline.

Future Trends

A considerable amount of research has been conducted on important trends in demographics, some are summarized below:

1. According to Demographic Change & Recreational Activity Trends (2005) by Gary T. Green, University of Georgia, and Ken Cordell, US Forest Service, Athens, GA, and Becky Stephens, University of Tennessee:
 - Population is rapid growing and some groups will literally explode in numbers.
 - Incomes, educational levels, and average life expectancy will all increase by 2020.
2. The Association of Partners for Public Lands (APPL) reported the following trends in 2004:
 - Consumers are seeking out uniquely different experiences when they travel, yet expect certain standards of destinations, tour companies, lodging establishments and transportation. 65% of travelers are city-dwellers living in urban areas with populations of 500,000 or more. Among those visiting a National Park while traveling in the last five years, 75% stayed overnight or within 10 miles of the parks on their most recent trip. (National Geographic Traveler and Travel Industry Association)
 - 50% of American adults have taken an adventure vacation in the past 5 years. (E. Sheffield, California State University, Chico)
 - Aging baby boomers seek easier ways of recreating but have more money to spend, resulting in desire for greater conveniences like full hook-up campgrounds. (APPL 2004 agency survey)
 - Public lands will see more 55+ visitors and more “escapees” from cities, who will want more services. Many of these visitors will be willing to pay for a quality experience. (APPL 2004 agency survey)
 - The population of California is projected to have the largest net increase in U.S. population. By 2020 it is projected to increase by 31% compared to 2000, with a 58% increase in Hispanic population, 55% increase in Asian/Pacific Islanders, a 29% increase in Native Americans, a 20% increase in African Americans, and a 4% increase in persons of European decent. By 2030, Hispanics will comprise 43% of the state’s population. (E. Sheffield, California State University, Chico)
 - The median age in 2000 was 35; by 2020 it is projected to be 38. (E. Sheffield, California State University, Chico)
 - Baby Boomers are now moving into their retirement years, leading to increased leisure time and greater demands on parks. They are the mobile generation of the next 20 years. (Trends in Demographics and information Technology Affecting Visitor Center Use, NPS, 2003)
 - The over-50 population is expected to grow by 18.3 million people over the next ten years. (Independent Sector)
 - People continue to live longer. By the year 2025, 60 million Americans will be 65 or older. (Aging Americans: Stranded Without Options)
 - Increased urbanization of America, and decreasing rural populations. (APPL 2004 agency survey)
 - In 1994-95, more than half of the older population (52.5%) reported having one or more disabilities. One-third had at least one severe disability. Most older persons have at least one chronic condition and many have multiple conditions. The most frequently occurring conditions per 100 elderly in 1995 were: arthritis, hypertension,

heart disease, hearing impairments, orthopedic impairments, cataracts, sinusitis, and diabetes. (AARP)

Predicting future trends in recreational pursuits is always a risky business especially considering the demographical changes that are occurring in California. However there are some changes on the horizon that will almost certainly have an effect on the demand for pack stock supported wilderness trips.

In 2006 the first of the “baby boomers” will be turning 60 years old. This is the generation that was instrumental in the creation of the Wilderness Act. As this generation ages and reaches retirement age they will have more leisure time and potentially more disposable income as their children move out on their own. They may start returning to the same wilderness areas that they enjoyed 30 years ago, only this time with bad knees, hearts, backs etc. Consequently they will need some help with getting into the wilderness with their gear no matter how light weight. In the survey conducted for the AA/JM “age” in and of itself was the most frequently cited factor in needing pack stock services.

The demographics of the California population is changing rapidly, becoming more urban and with cultures that do not have backgrounds or experience in wilderness use. These populations will need assistance, education and the services provided by outfitters and guides.

These two observations alone would lead to the conclusion that the need for packing services has the potential to increase over the next 20 years.

Demographic trends indicate an increased need for these commercial services in the future. Exactly how much of an increased need will result from these demographic trends, however, is difficult to determine. Some estimates indicate that a 75% to 100% increase in need will occur over the current level of service that is provided in the central Sierra Nevada. However, due to the small size of the Kaiser Wilderness there is limited capacity to meet this increased need in the future while still preserving wilderness character.

Unmet Need

Calculating the unmet need for the Kaiser Wilderness is difficult. There are a number of factors that act to limit the commercial packer’s ability to meet the full public need for services. Some of these factors include restrictions and limitations place on the commercial packers (e.g. group size and quotas), while other factors include seasonal limitations on business including weather and snow conditions. In some cases the indirect conditions related to a small business, such as the ability to find qualified employees, may also influence the ability to service the public.

It is uncertain if changes in the management of commercial packer services in the AA/JM/DL resulting from recent plan revisions will shift any use towards the Kaiser Wilderness, creating a greater pool of unmet need.

Considering all of these factors and looking at the past use of packer services in the Kaiser Wilderness, there is probably some unmet need, but it is impossible to precisely quantify.

Findings

The determination if commercial pack stock services are needed in the Kaiser and to what extent they are necessary are not determined by market demand or by a prospective outfitter or guide's desire for a permit. Determination of need is similar to the determination of management need for any other resource or service. The agency determines the need based on mission, goals, objectives, and resources capability; and makes outfitter and guide allocations to attain those goals and objectives for the area under consideration.

The decision space for the Kaiser Wilderness is fairly narrow. The LRMP limits the number of permits to no more than one, by stating "Issue no additional commercial packer...permits". Given that there is now only one permit; that would be the limit.

There is a demonstrated need for packing services on the Sierra National Forest. Based on the survey data from the AA/JM, a significant number of people have limitations that would prevent them from enjoying the Kaiser and other wildernesses if it were not for some help from stock. As the "baby boomer" population ages one can expect that the need for at least some assistance will increase. In addition as the California population urbanizes there will also be a need for guides to help and educate people who do not have wilderness skills.

Due to the small size of the Kaiser Wilderness the need for packing services is relatively small in absolute client numbers. As shown in Table 3 above, the maximum number of overnight clients from 2001 to 2005 was only 107. Factoring in the potential increase in need from changes in the demographics of the region, and the fact there is some current unmet need and estimate of a future need of approximately 200 clients is reasonable. This still represents only a small fraction (13%) of the recent maximum total use within the Kaiser Wilderness.

Day rides are a valid way to introduce visitors to a wilderness setting and provide the beginnings of appreciation for wilderness management. Day rides do provide access to the wilderness for people with special physical considerations, those not conditioned for high altitude or rugged mountain travel and those without sufficient orientation skills to travel in the wilderness unguided. There is a role for day rides in the Kaiser Wilderness especially considering its proximity to Huntington Lake. Currently the day use does not penetrate very far into the wilderness; however day rides may have the potential conflict with other users especially if they were to increase in frequency. This is an activity while valid needs to be monitored.

Extent Necessary

The determination of the "extent necessary" is straightforward for the Kaiser Wilderness. It would be that to service the need demonstrated above that the estimate of approximately 200 overnight clients per year represents a minimal amount of service needed, given the demographic trends, unmet need and changes in management of commercial pack stock service in the AA/JM/DL Wildernesses. To meet the requirements of the Wilderness Act, the level of need provided must also ensure that wilderness character is maintained in these

wilderness areas. The challenge, then, is to settle upon the level that meets the identified range of public need and also protects the wilderness character of the area.

The *Commercial Pack Stock Permit Reissuance for the Sierra National Forest and Trail Management Plan for the Dinkey Lakes Wilderness, Environmental Impact Statement* provides an analysis and disclosure of the expected environmental effects of three alternatives. Alternative 1 would allow no commercial packing services in the two wilderness areas. Alternatives 2 and 3 allow two different levels of commercial packing service along with two different mechanisms for controlling that use. The Record of Decision that accompanies the Final EIS will provide the rationale for selecting one of these alternatives. This rationale will include an evaluation of the effect of the selected alternative on the wilderness character of these wildernesses. The Record of Decision will also include a finding of compliance with the Wilderness Act for the selected alternative

References

USDA Forest Service. Forest Service Handbook (various sections).

USDA Forest Service. Forest Service Manual (various sections).

USDA Forest Service. 1977. Guidebook on Outfitting and Guiding, Prepared by the Northern Region.

USDA Forest Service. 1997. Forest Land and Resource Management Plan, Sierra National Forest.

USDA Forest Service. 2005. Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wildernesses, Final Environmental Impact Statement.

Appendix E: Special Use Permit Terms and Conditions

Displayed below is an example of a standard Special Use Permit (SUP) template displaying common standard terms and condition provisions. It is included in this FEIS to facilitate understanding of the types of controls that are imposed on a permit holder. This template is used nationally for all resort and marina SUPs to provide consistency for all operators. Upon a final NEPA document and Record of Decision, this standard SUP (or newer version if applicable) will serve as the baseline and additional clauses, terms and conditions, to protect resources, will be developed specifically for each operator. Standard clauses that do not apply to an individual operator would be deleted.

Authorization ID _____ FS-2700-5c (8/99)

Contact ID _____ OMB No. 0596-0082

Expiration Date: _____

U.S. DEPARTMENT OF AGRICULTURE
Forest Service
RESORT/MARINA
TERM SPECIAL USE PERMIT
Act of March 4, 1915, as amended
(Ref. FSM 2710)

_____ (Holder Name) of _____ (Address, City, State, Zip Code) (hereafter "holder") is hereby authorized to use and occupy National Forest System lands and waters on the _____ (Name) National Forest for the purposes of constructing, operating, and maintaining a resort/marina, including food service, retail sales, and other ancillary facilities described herein, known as the _____ (Name) resort/marina, and subject to the provisions of this resort/marina term special use permit (hereafter "permit"). This permit covers ____ acres described here and as shown on the attached map dated _____ (Insert Date).

The following improvements, whether on or off the site, are authorized:

Attached Clauses. Attached Clauses. This permit is accepted subject to the conditions set forth herein on pages 2 through __, and Exhibits __ to attached or referenced hereto and made a part of this permit.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL OF ITS TERMS AND CONDITIONS.

ACCEPTED: _____
HOLDER'S NAME AND SIGNATURE DATE

APPROVED: _____
AUTHORIZED OFFICER'S NAME AND SIGNATURE TITLE DATE

I. AUTHORITY AND GENERAL TERMS OF THE PERMIT

A. AUTHORITY.

This permit is issued under the authority of the Act of March 4, 1915, as amended (16 U.S.C. 497), and 36 CFR Part 251, Subpart B, as amended. This permit and the activities or use authorized shall be subject to the terms and conditions of the Secretary's regulations and any subsequent amendment to them.

B. AUTHORIZED OFFICER.

The authorized officer is the Forest Supervisor or a delegated subordinate officer.

C. RULES, LAWS, AND ORDINANCES.

The holder in exercising the privileges granted by this term permit shall comply with all present and future Federal laws and regulations and all present and future state, county, and municipal laws, ordinances, and regulations that apply to the area or operations covered by this permit, to the extent they do not conflict with Federal law, policy, or regulation. The Forest Service assumes no responsibility for enforcing laws, regulations, ordinances, and the like that fall under the jurisdiction of other governmental entities.

D. TERM.

Select item 1. For new areas or areas in need of a Master Development Plan per FSM 2341.

This permit is for a term of _____ (Number) years to provide for the holder to prepare a Master Development Plan. Subject to acceptance of the Master Development Plan by the authorized officer, this permit shall be extended for an additional _____ (Number) years, for a total of _____ (Number) years, to provide the holder sufficient time to construct facilities approved in the Master Development Plan within the schedule outlined in clause II.C. (Site Development Schedule), so that the area may be used by the public. Further Provided; this permit shall be extended by its terms for an additional _____ (Number) years, for a total of _____ (Number) years, if it is in compliance with the site development schedule in the Master Development Plan. The total term of this permit shall not exceed 30 years. Failure of the

holder to comply with all or any provisions of this clause shall cause the permit to terminate under its terms.

Select item 2. For existing areas and/or areas where a Master Plan is not required.

Unless sooner terminated or revoked by the authorized officer, in accordance with the provisions of the permit, this permit shall terminate on _____ (Insert Date), but a new special use permit to occupy and use the same National Forest land may be granted provided the holder shall comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands. The holder shall notify the authorized officer in writing not less than six (6) months prior to said date that such new authorization is desired.

E. NON-EXCLUSIVE USE.

Unless expressly provided in additional terms, this permit is not exclusive. The Forest Service reserves the right to use or allow others to use any part of the permit area for any purpose.

F. AREA ACCESS.

Except for any restrictions as the holder and the authorized officer may agree to be necessary to protect the installation and operation of authorized structures and developments, the lands and waters covered by this permit shall remain open to the public for all lawful purposes. To facilitate public use of this area, all existing roads, or roads as may be constructed by the holder, shall remain open to the public, except for roads as may be closed by joint agreement of the holder and the authorized officer.

G. PERIODIC REVISION.

1. The terms of this permit shall be subject to revision to reflect changing times and conditions to incorporate land use allocation decisions made as a result of revision to Forest Land and Resource Management Plans.
2. At the sole discretion of the authorized officer, this term permit may be amended to remove authorization to use any National Forest System lands not specifically covered in the Master Development Plan and/or not needed for the use and occupancy authorized by this permit.

II. IMPROVEMENTS

A. MASTER DEVELOPMENT PLAN.

Select item 1. For areas that have a Master Development Plan, or where a Master Development Plan is required.

In consideration of the privileges authorized by this permit, the holder agrees to prepare and submit changes in the Master Development Plan encompassing the entire commercial resort/marina presently developed within the National Forest lands authorized by this permit, and in a form acceptable to the Forest Service. Additional construction beyond maintenance of existing improvements shall not be authorized until this plan has been amended. Planning should encompass all the area authorized for use by this permit. The accepted Master Development Plan shall become a part of this permit.

Select item 2. If not applicable.

Not applicable.

B. PERMIT LIMITATIONS.

Nothing in this permit allows or implies permission to build or maintain any structure or facility, or to conduct any activity unless specifically provided for in this permit. Any use not specifically identified in this permit must be approved by the authorized officer in the form of a new permit or permit amendment.

C. SITE DEVELOPMENT SCHEDULE.**Select item below for areas that have a Master Development Plan, or where a Master Development Plan is required.**

As part of this permit, a schedule for the progressive development of the permitted area and installation of facilities shall be prepared jointly by the holder and the Forest Service. Such a schedule shall set forth an itemized priority list of planned improvements and the due date for completion. This schedule shall be made a part of this permit. The holder may accelerate the scheduled date for installation of any improvement authorized, provided the other scheduled priorities are met; and provided further, that all priority installation authorized are completed to the satisfaction of the Forest Service and ready for public use prior to the schedule due date.

1. All required plans and specifications for site improvements, and structures included in the development schedule shall be properly certified and submitted to the Forest Service at least 45 days before the construction date stipulated in the development schedule.
2. In the event there is agreement with the Forest Service to expand the facilities and services provided on the areas covered by this permit, the holder shall jointly prepare with the Forest Service a development schedule for the added facilities prior to any construction and meet the requirements of clause II.E. Such schedule shall be made a part of this permit.

Select this item if not applicable.

Not applicable.

D. PLANS.

All plans for development, layout, construction, reconstruction or alteration of improvements on the site, as well as revisions of such plans, must be prepared by a licensed engineer, architect, and/or landscape architect (in those states in which such licensing is required) or other qualified individual acceptable to the authorized officer. Such plans must be accepted by the authorized officer before the commencement of any work. A holder may be required to furnish as-built plans, maps, or surveys upon the completion of construction.

E. AMENDMENT.

This permit may be amended to cover new, changed, or additional uses(s) or areas not previously considered. In approving or denying changes or modifications, the authorized officer shall consider, among other things, the findings or recommendations of other involved agencies and whether their terms and conditions of the existing permit may be continued or revised, or a new permit issued.

III. OPERATIONS AND MAINTENANCE

A. CONDITIONS OF OPERATIONS.

The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. Standards are subject to periodic change by the authorized officer. This use shall be in normal operation at least _____ (Number) days each year or season. Failure of the holder to exercise this minimum use may result in revocation under clause IX.A.

B. OPERATING PLAN.

The holder or designated representative shall prepare and annually revise by _____ (Month/Day) an Operating Plan. The plan shall be prepared in consultation with the authorized officer or designated representative and cover all operations, regardless of season, as appropriate. The provisions of the operating plan and the annual revisions shall become a part of this permit and shall be submitted by the holder and approved by the authorized officer or their designated representative prior to commencing operations. The plan shall outline the holder's activities that will protect public health and safety and the environment and shall include sufficient detail and standards to enable the Forest Service to monitor operations for compliance.

The authorized officer may require a joint annual business meeting agenda to:

1. Update gross fixed assets (GFA) when the permit fee is calculated under the graduated rate fee system (GRFS).
2. Determine need for performance bond for construction projects and amount of bond.
3. Provide annual use reports.

C. INSPECTION BY THE FOREST SERVICE.

The Forest Service shall monitor the holder's operations and reserves the right to inspect the permitted facilities and improvements at any time for compliance with the terms of this permit. The obligations of the holder under this permit are not contingent upon any duty of the Forest Service to inspect the premises. A failure by the Forest Service or other governmental officials to inspect is not a defense to noncompliance with any of the terms and conditions of this permit.

D. REMOVAL AND PLANTING OF VEGETATION.

This permit does not authorize the cutting of timber or other vegetation. Trees or shrubbery may be removed or destroyed only after the authorized officer, or authorized officer's agent, has approved, and has marked or otherwise designated that which may be removed or

destroyed. Timber cut or destroyed shall be paid for at current stumpage rates for similar timber in the National Forest. The Forest Service reserves the right to dispose of the merchantable timber to others than the holder at no stumpage cost to the holder. Unmerchantable material shall be disposed of as directed by the authorized officer. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as approved by the authorized officer.

E. SIGNS.

Signs or advertising devices erected on National Forest lands shall have prior approval by the Forest Service as to location, design, size, color, and message. Erected signs shall be maintained or renewed as necessary to neat and presentable standards, as determined by the Forest Service.

F. NONDISCRIMINATION.

During the performance of this permit, the holder agrees:

1. In connection with the performance of work under this permit, including construction, maintenance, and operation of the facility, the holder shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, age or handicap. (Ref. Title VII of the Civil Rights Act of 1964 as amended).
2. The holder and employees shall not discriminate by segregation or otherwise against any person on the basis of race, color, religion, sex, national origin, age or handicap, by curtailing or by refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. (Ref. Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments, and the Age Discrimination Act of 1975).
3. The holder shall include and require compliance with the above nondiscrimination provisions in any subcontract made with respect to the operations under this permit.
4. Signs setting forth this policy of nondiscrimination to be furnished by the Forest Service will be conspicuously displayed at the public entrance to the premises, and at other exterior or interior locations as directed by the Forest Service.
5. The Forest Service shall have the right to enforce the foregoing nondiscrimination provisions by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the breach or violation occurs.

IV. RIGHTS AND LIABILITIES

A. LEGAL EFFECT OF THE PERMIT.

This permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

B. THIRD-PARTY RIGHTS.

This permit is subject to all valid rights and claims of third parties. The United States is not liable to the holder for the exercise of any such right or claim.

C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS.

The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit, including any party who has responsibility for any day-to-day activities authorized by this permit, if approved by the authorized officer under clause VIII.

D. INDEMNIFICATION OF THE UNITED STATES.

The holder shall indemnify, defend, and hold the United States harmless for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use and occupancy authorized by this permit. This indemnification and hold harmless provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees in connection with the use and occupancy authorized by this permit which result in: (1) violations of any laws and regulations which are now or which may in the future become applicable, and including but not limited to those environmental laws listed in clause XIII.A of this permit; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous substance, pollutant, contaminant, oil in any form, or petroleum product into the environment.

E. DAMAGE TO UNITED STATES PROPERTY.

The holder has an affirmative duty to protect from injury and damage the land, property, and other interest of the United States. Damage includes but is not limited to fire suppression costs and all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. For purposes of clauses IV.E and XIII, "hazardous material" shall mean any hazardous substance, pollutant, contaminant, hazardous waste, oil, and/or petroleum product, as those terms are defined under any Federal, State, or local law or regulation.

1. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use and occupancy of the site. If the environment or any government property covered by this permit becomes damaged during the holder's use and occupancy of the site, the holder shall immediately repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.
2. The holder shall indemnify the United States for any damages arising out of the holder's use and occupancy authorized by this permit. The holder shall be liable for all injury, loss, or damage, including fire suppression, or other costs associated with rehabilitation or restoration of natural resources, associated with the holder's use or occupancy. Compensation shall include but is not limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs in connection therewith. Such costs may be deducted from the performance bond required under clause XIV.G.

3. With respect to roads, the holder shall be liable for damages to all roads and trails of the United States open to public use caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to the same extent as provided under clause IV.E.(1), except that liability shall not include reasonable and ordinary wear and tear.

F. RISKS.

The holder assumes all risk of loss of the property. Loss to the property may result from, but is not limited to, theft, vandalism, fire and any firefighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and acts of God. If the authorized improvements are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, the permit shall terminate.

G. HAZARDS.

The holder has a continuing responsibility to identify and abate hazardous conditions in the permit area which could affect the improvements or pose a risk of injury to individuals. The holder shall consult with the authorized officer before taking any action to abate such hazards.

H. INSURANCE.

The holder shall have in force public liability insurance covering property damage and damage to persons in the event of death or injury in the minimum amount of \$_____ combined single limits (CSL). These minimum amounts and terms are subject to change at the sole discretion of the authorized officer on the annual anniversary date of this authorization. The coverage shall extend to property damage, bodily injury, or death arising out the holder's activities under the permit including, but not limited to, occupancy or use of the land and the construction, maintenance, and operation of the structures, facilities, or equipment authorized by the permit. Such insurance shall also name the United States as an additional insured. The Forest Service reserves the right to review and approve the insurance policy prior to issuance. The holder shall send an authenticated copy of its insurance policy to the Forest Service immediately upon issuance of the policy. The policy shall specify that the insurance company shall give 30 days' prior written notice to the Forest Service of cancellation or any modification of the policy.

V. FEES

Selection item 1: For new resorts or resort/marinas not on GRFS.

A. HOLDER TO PAY FAIR MARKET VALUE FOR THE PERMITTED USE.

The holder shall pay a permit fee to the USDA, Forest Service, the sum of dollars _____ (Written Amount) (\$_____) for the period from _____ (Date), to _____ (Date), and thereafter annually on _____ (Date), _____ (Written Amount) dollars (\$_____). Provided, however, that the permit fee for

this use may be readjusted as of, and effective on, the beginning of each 5-year period from the due date of the first annual payment in order to place the charges on a basis commensurate with the value of the use and occupancy authorized by this permit.

Selection item 2.: For resorts or resort/marinas on GRFS.

A. HOLDER TO PAY FAIR MARKET VALUE FOR THE PERMITTED USE.

The holder shall pay fair market value for the use of National Forest System lands as determined by GRFS.

1. The provisions of GRFS identified under this permit may be revised by the Forest Service to reflect changed times and conditions. Changes shall become effective when:

- (a) mutually agreed;
- (b) the permit is amended for other purposes; or
- (c) a new permit is issued (including after termination of this permit).

2. GRFS may be replaced in its entirety by the Chief of the Forest Service if a new generally applicable fee system is imposed affecting all holders of authorizations under 16 U.S.C. 497. Replacement shall become effective on the beginning of the holder's business year.

3. Allocation of GFA and Sales. **<Insert if use occupies both private and public land.>** For purposes of the calculation, GFA will be adjusted as follows: Full value will be allowed for assets used solely to generate sales for permitted operations. No value will be given for assets used solely to generate sales for private operations. Assets used jointly to generate sales for private and permitted operations will be allocated on a basis of use. All GFA will be shown on the depreciation schedule.

Selection item 3: For resorts or resort/marinas on flat fee for construction period.

A. FEES - CONSTRUCTION PERIOD - FLAT FEE.

An annual flat fee shall be due the United States during the initial construction period and until exceeded by fees determined by the Graduated Rate Fee System described below; Thereafter, the annual fees due the United States for those activities authorized by this permit shall be calculated on sales according to the schedule below.

HOLDER TO PAY FAIR MARKET VALUE FOR THE PERMITTED USE.

The holder shall pay fair market value for the use of National Forest System lands as determined by GRFS.

1. The provisions of GRFS identified under this permit may be revised by the Forest Service to reflect changed times and conditions. Changes shall become effective when:

- (a) mutually agreed;
- (b) the permit is amended for other purposes; or
- (c) a new permit is issued (including after termination of this permit).

2. GRFS may be replaced in its entirety by the Chief of the Forest Service if a new generally applicable fee system is imposed affecting all holders of authorizations under 16 U.S.C. 497. Replacement shall become effective on the beginning of the holder's business year.
3. Allocation of GFA and Sales. **<Insert if use occupies both private and public land.>** For purposes of the calculation, GFA will be adjusted as follows: Full value will be allowed for assets used solely to generate sales for permitted operations. No value will be given for assets used solely to generate sales for private operations. Assets used jointly to generate sales for private and permitted operations will be allocated on a basis of use. All GFA will be shown on the depreciation schedule.

B. FEES - GRFS.

The annual fees due the United States for those activities authorized by this permit shall be calculated on sales according to the following schedule:

Balance of Sales Rate	Break-even point (Sales to GFA) (Percentage)	Rate Base (Percentage)
Kind of Business (Percentage)		
Grocery 1.13	70	.75
Service, food 1.88	70	1.25
Service, car 1.95	70	1.30
Merchandise 2.25	70	1.50
Liquor Service 2.70	60	1.80
Outfitting/Guiding 3.00	50	2.00
Rental and Services 6.75	30	4.50
Lodging 6.00	40	4.00

1. A weighted-average break-even point (called the break-even point) and a weighted-average rate base (called the rate base) shall be calculated and used when applying the schedule to mixed business. If the holder's business records do not clearly segregate the sales into the business categories authorized by this permit, they shall be placed in the most logical category. If sales with a different rate base are grouped, place them all in the rate category that shall yield the highest fee. Calculate the fee on sales below the break-even point using 50 per cent of the rate base. Calculate the fee on sales between the break-even point and twice the break-even point using 150 percent of the rate base. Calculate the fee on sales above twice the break-even point using the balance of sales rate.

2. The minimum annual fee for this use, which is due in advance and is not subject to refund, shall be equal to the fee that would result when sales are 40 percent of the break-even point. This fee shall be calculated and billed by the Forest Service during the final quarter of the holder's fiscal year, using the most recent GFA figure and previously reported sales data for the current year, plus, if the operating season is still active, estimated sales for the remainder of the year.

C. DEFINITIONS OF SALES CATEGORIES AND GFA.

1. **Sales Categories.** For purposes of recording and reporting sales, and sales-related information including the cost of sales, the activities of the concessionaire are divided into:

Grocery. Includes the sale of items usually associated with grocery stores such as staple foods, meats, produce, household supplies. Includes the sale of bottled soft drinks, beer and wine, when included in the grocery operation.

Service, Food. Includes the serving of meals, sandwiches, and other items either consumed on the premises or prepared for carry out. Snack bars are included.

Service, Cars. Includes servicing and the sale of fuels, lubricants, and all kinds of articles used in servicing and repairing autos, boats, jet skis, aircraft.

Merchandise. Includes the sale of clothing, souvenirs, gifts, ski and other sporting equipment. Where a "Service, Cars" category of business is not established by this permit, the sale of auto accessories is included in this category.

Service, Liquor. Includes the sale of alcoholic drinks for consumption on the premises and other sales ordinarily a part of a bar or cocktail lounge business. Where a bar is operated in conjunction with a restaurant or overnight accommodations, liquor, beer and wine sales shall be accounted for consistent with holder's normal business practice. The sale of alcoholic beverages for consumption off the premises is also included in this item, except as indicated in "Grocery."

Outfitting/Guiding. Includes all activities or commercial guiding services regardless of mode of travel, when associated with a resort or marina with a mixture of business. All fees charges are considered sales.

Lodging. Includes lodging where daily maid service is furnished.

Rentals and Services. Includes lodging where daily maid service is not furnished by the holder; the rental of camping space, ski equipment and other equipment rentals and services. Also included are services such as barbershops, and amusements including video games.

2. **GFA.** The capitalized cost of improvements, equipment, and fixtures necessary and used to generate sales and other revenue during the permit year on the permitted area or within the development boundary shown in this permit.

GFA shall be established by and changed at the sole discretion of the authorized officer based on the current interpretation of guidelines supporting GRFS.

(a) Valuing GFA. The value of GFA shall be the cost of each qualifying asset as reflected in the financial statements of the current holder. This is the same amount as shown on the holder's fixed asset depreciation schedule which supports the general ledger prepared in accordance with generally accepted accounting principles (GAAP). Include in GFA, when identified by the holder and approved by the authorized officer, costs which are expensed by the holder as payment to utility companies for constructing and installing utilities to the area to the extent they are necessary for the generation of sales. Costs for user surcharge or demand rates are not included as GFA.

If fixed assets have not been assigned a value by the holder at the time a permit is issued, the value for GFA must be determined by the holder and provided to the authorized officer no later than the end of the new holder's first financial reporting period.

(b) Revaluing GFA. Revalue GFA when events result in a change or restatement of fixed assets on the holder's official accounting records, prepared in accordance with GAAP. Examples of events that may cause the holder to restate the value of fixed assets include, but are not limited to:

- (1) Sale of assets or common stock which results in a change in ownership, or controlling interest;
- (2) Mergers or other business combinations;
- (3) Leveraged buy outs, and acquisitions; or
- (4) Other events, either voluntary or involuntary, which trigger a revaluation of capitalized assets associated with the authorized use.

When the holder reports a change in the value of assets due to a restatement of the value of those assets, an audit may be necessary to validate the new GFA. Any adjustment in fees shall be retroactive to the time the change in asset value occurred.

(c) The following, and similar items, are not part of GFA:

- (1) Assets that ordinarily qualify for inclusion in GFA, but which are out of service for the full operating year for which fees are being determined.
- (2) Land.
- (3) Expendable or consumable supplies.
- (4) Intangible assets, such as goodwill, permit value, organization expenses, and liquor licenses.
- (5) Improvements not related to the operation.
- (6) Luxury assets, to the extent their design and cost exceed functional need.

(7) The prorata share of GFA assets in off-site activities not directly associated with the authorized use.

(8) Expensed assets.

(9) Operating leases.

(d) Initial GFA. As of the date of this permit, <Date> the initial GFA under this ownership has been determined to be \$_____ as shown in detail on Schedule A attached to this permit. If an error is found in the GFA amount, it shall be changed to the correct amount retroactive to the date the error occurred and fees adjusted accordingly.

D. CHANGE OF GFA UPON SALE OR CHANGE IN CONTROLLING INTEREST.

Upon change of ownership, effective dominion or controlling interest or upon sale of assets or common stock which results in a change of ownership, effective dominion, or controlling interest, the value of GFA shall be established applying GAAP.

E. DETERMINING SALES AND OTHER REVENUE.

Sales and GFA shall be derived from all improvements and facilities, including those of applicable third parties, which constitute a logical single overall integrated business operation regardless of the land ownership. A map shall be prepared designating the development boundary and may be augmented by narrative or table and shall become a part of this permit.

1. Sales. Fees shall be assessed against all receipts from sales unless specifically exempted. Sales for the purpose of fee calculation include; (1) all revenue derived from goods and services sold which are related to operations under this permit and all revenue derived within the development boundary, unless otherwise excluded; (2) the value of goods and services traded-off for goods and services received (bartering); and (3) the value of gratuities.

(a) Definitions.

(1) **Gratuities**. Goods, services or privileges that are provided without charge or at deep discount to such individuals as employees, owners, and officers, or immediate families of employees, owners and officers, and not available to the general public.

(2) **Acceptable Discounts**. Transactions for goods or services below stated, listed or otherwise presented prices to the public at large. Included are such things as group sales and organized programs. These are included in sales at the actual transaction price.

(3) **Discriminatory Pricing**. Rates based solely on residence, race, color or religion. Discounts based on age or disability are not discriminatory pricing.

(4) **Preferential Discounts**. Discounts offered to certain classes or individuals based on their status, such as members of boards of directors, contractors, advertisers, doctors, and VIPs.

(5) **Market Price.** The price generally available to an informed public excluding special promotions. It may not be the "window price."

(6) **Bartering or Trade Offs.** The practice of exchanging goods or services between individuals or companies.

(7) **Commissions.** Commissions are payments received by the holder for collecting revenue on behalf of others as an agent or providing services not directly associated with the operations, such as selling hunting and fishing licenses, bus or sight-seeing tickets for trips off or predominantly off the permitted area, accommodating telephone toll calls, etc.

(8) **Franchise Receipts.** These are payments made to specific holders by third parties solely for the opportunity to do business at a specific location. The holder provides little, if anything, in the way of facilities or services. They may be the only fee paid to the holder or, if some facilities or services are provided by the holder, they may be made in addition to a rental fee. The franchise receipts may be in the form of fixed amounts of money or in reduced prices for the franchiser's product or service.

(b) Inclusions. The following items shall be included as gross receipts to arrive at sales:

(1) **Gratuities.** Daily and season passes are valued at market price unless the permit holder has sufficient records of daily individual use to substantiate a "value of use". Value of Use is the number of days the pass is used times the market price. Does not include employees. See (4) below).

(2) **Preferential Discounts.** Includes the amount that would have been received had the transaction been made at the market price.

(3) **Value of Discriminatory Pricing.** Discriminatory pricing is disallowed. Include the amount that would have been received had the transaction been made at the market price.

(4) **Employee discounts in excess of 30 percent of market price.** These discounts are exclusively given or provided to employees, owners, officers or immediate families of employees, owners or officers are gratuities and are included in sales at 70 percent of market price. Employee discounts less than 30 percent are recorded at transaction price.

(5) **Value of bartered goods and services (trade-offs)**

(6) **Gross sales of third parties.** Includes sales of State controlled liquor stores.

(7) **Fifty percent of franchise receipts.**

(8) **All other revenue items not specifically excluded below shall be included as sales.**

(c) Exclusions. The following items shall be excluded from gross receipts or revenue to arrive at sales:

(1) Value of goods and services provided to employees, agents, contractors or officials to facilitate the accomplishment of their assigned duties or work-related obligation or to others for educational or technical competence related to the type of permitted use such as boat operation, ski patrol, water safety, etc. Similarly, local, State and Federal government officials including Forest Service employees who in the course of their oversight responsibilities or otherwise on official business use goods or services. The holder is not required to report the value of such duty-related or official use as sales for fee calculation purposes.

(2) The value of meals and lodging furnished by an employer to an employee for the employer's convenience if, in the case of meals, they are furnished on the employer's business premises. The fact that the employer imposes a partial charge for or that the employee may accept or decline meals does not affect the exclusion if all other conditions are met. If employer imposes a charge for meals and lodging it shall be included at transaction price. The holder need not keep records of employee meals and lodging more detailed than those required by the Internal Revenue Service.

(3) Refunds from returned merchandise and receipts from sales of real and nonrental personal property used in the operation.

(4) Rents paid to the holder by third parties, even if based on sales.

(5) Taxes collected on site from customers, accounted for as such in the holder's accounting records, and that were paid or are payable to taxing authorities. Taxes included in the purchase price of gasoline, tobacco and other products, but paid to the taxing authority by the manufacturer or wholesaler are included in sales, and subject to the permit fee.

(6) Amounts paid or payable to a Government licensing authority or recreation administering agency from sales of hunting or fishing licenses and recreation fee tickets.

(7) Value of sales and commissions where the holder is serving as an agent for businesses not directly associated with the permitted operation. This includes such things as bus or sight-seeing-ticket sales for trips not related to activities on the permitted area, telephone-toll charges, and accident-insurance sales.

(8) Sales of operating equipment. Rental equipment, capitalized assets or other assets used in operations shall be excluded from gross receipts. Examples are such items as used rental skis, boats, and motors which are sold periodically and replaced.

F. CONCESSION PAYMENT, GRFS.

Reports and deposits required as outlined above shall be tendered in accordance with the schedule below. They shall be sent or delivered to the Collection Officer, USDA, Forest Service, at the address furnished by the Forest Supervisor. Checks or money orders shall be payable to "USDA, Forest Service."

1. The holder shall report sales, calculate fees due and make payment each calendar _____ <month, quarter or year>, except for periods in which no sales take place and the holder has notified the authorized officer that the operation has entered a seasonal shutdown for a specific period. Reports and payments shall be made by the 30th of the month following the end of each reportable period.
2. Prior to _____ <Date>, the authorized officer shall furnish the holder with a tentative rate which shall be applied to sales in the fee calculation (item 1), such rate to be one that shall produce the expected fee based on past experience. The correct fee shall be determined at the end of the year and adjustment made as provided under item (5). Any balance that may exist shall be credited and applied against the next payment due.
3. During the final fiscal month, pay within 30 days of billing by the Forest Service, the annual minimum fee for the next year.
4. The holder must also provide within three months after close of this operating year a balance sheet representing its financial condition at the close of its business year, an annual operating statement reporting the results of operations including year end adjustments for itself and each sublessee for the same period, and a schedule of GFA adjusted to comply with the terms of this permit in a format and manner prescribed by the authorized officer.

If the holder fails to report all sales in the period they were made or misreports GFA and the authorized officer determines that additional fees are owed, the holder shall pay the additional fee plus interest. Such interest shall be assessed at the rate specified in clause V.G. and shall accrue from the date the sales or correct GFA should have been reported and fee paid until the date of actual payment of the underpaid fee.

5. Within 30 days of receipt of a statement from the Forest Service, pay any additional fee required to correct fees paid for the past year's operation.
6. Payments shall be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation financial statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.
7. All fee calculations and records of sales and GFA are subject to periodic audit. Errors in calculation or payment shall be corrected as needed for conformance with those audits. Additional fees and interest due as a result of such audits shall be in accordance with item 4, paragraph 2.
8. Disputed fees must be paid in a timely manner.
9. Correction of errors includes but is not limited to any action necessary to establish the cost of gross fixed assets to the current holder, including sales, or other data required to accurately assess and calculate fees. For fee calculation purposes, error may include:

- (a) Misreporting or misrepresentation of amounts.
- (b) Arithmetic mistakes.
- (c) Typographical mistakes.
- (d) Variation from GAAP, when such variations are inconsistent with the terms and conditions of this permit.

Correction of errors shall be made retroactively to the date the error was made or to the previous audit period, whichever is more recent, with past fees adjusted accordingly. Changes effected by agency policy, including definition of assets included in GFA, shall only be made prospectively.

G. LATE PAYMENT INTEREST, ADMINISTRATIVE COSTS AND PENALTIES.

1. Pursuant to 31 U.S.C. 3717, et seq., interest shall be charged on any fee amount not paid within 30 days from the date the fee or fee calculation financial statement specified in this authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury tax and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins annually or quarterly or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.
2. In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

3. If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to its original condition including hazardous waste cleanup.

4. Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the

United States pursuant to 31 U.S.C. 3711 *et seq.* Delinquencies may be subject to any or all of the following conditions:

Administrative offset of payments due the holder from the Forest Service.

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g), (1).

The Secretary of the Treasury may offset an amount due the debtor for any delinquency as provided by 31 U.S.C. 3720, *et seq.*)

H. NONPAYMENT.

Failure of the holder to make timely payments, pay interest charges or any other charges when due shall be grounds for revocation of this permit.

I. ACCESS TO RECORDS.

For the purpose of administering this permit (including ascertaining that fees paid were correct and evaluating the propriety of the fee base), the holder agrees to make all of the accounting books and supporting records to the business activities, as well as those of sublessees operating within the authority of this permit, available for analysis by qualified representatives of the Forest Service activities. Review of accounting books and supporting records shall be made at dates convenient to the holder and reviewers. Financial information so obtained shall be treated as confidential as provided in regulations issued by the Secretary of Agriculture.

The holder shall retain the above records and keep them available for review for 5 years after the end of the year involved, unless disposition is otherwise approved by the authorized officer in writing.

J. ACCOUNTING RECORDS.

The holder shall follow GAAP or other comprehensive bases of accounting acceptable to the Forest Service in recording financial transactions and in reporting results to the authorized officer. When requested by the authorized officer, the holder at own expense, shall have the annual accounting reports audited or prepared by a licensed independent accountant acceptable to the Forest Service, and shall furnish the authorized officer a complete copy of the report. The holder shall require sublessees to comply with these same requirements. The minimum acceptable accounting system shall include:

1. Systematic internal controls and recording by kind of business the gross receipts derived from all sources of business conducted under this permit. Receipts should be recorded daily and, if possible, deposited into a bank account without reduction by disbursements. Receipt entries shall be supported by source documents such as cash register tapes, sale invoices, rental records, and cash accounts from other sources.
2. A permanent record of investments in facilities (depreciation schedule) current source documents for acquisition costs of capital items.

3. Preparation and maintenance of such special records and accounts as may be specified by the authorized officer.
4. Bank accounts will be maintained separately for the businesses conducted under this permit and not commingled with those for other businesses of the holder.

VI. TRANSFER OF TITLE TO THE IMPROVEMENTS

A. NOTIFICATION OF TRANSFER.

The holder shall notify the authorized officer when a transfer of title to the improvements is contemplated.

B. TRANSFER OF TITLE.

Any transfer of title to the improvements covered by this permit, with the exception of boats owned by the holder, shall result in termination of the permit. The party who acquires title to the improvements must submit an application for a permit. Issuance of a new permit to the party who acquires title to the improvements shall be at the sole discretion of the authorized officer. The authorized officer shall determine that the applicant meets requirements under Federal regulations.

VII. CHANGE IN CONTROL OF THE BUSINESS ENTITY

A. NOTIFICATION OF CHANGE IN CONTROL.

The holder shall notify the authorized officer when a change in control of the business entity that holds this permit is contemplated. If the holder is a corporation, change of control means the sale or transfer of at least 50 percent of the corporate stock. If the holder is a partnership, change of control means the sale or transfer of a 50 percent or greater interest in the partnership. If the holder is an individual, change of control means the sale or transfer of the business to another party.

B. CHANGE IN CONTROL.

Any change in control of the business entity as defined in clause VII.A. shall result in termination of this permit. The party acquiring control of the business entity must submit an application for a special use permit. Issuance of a new permit shall be at the sole discretion of the authorized officer. The authorized officer shall determine whether the applicant meets the requirements established by Federal regulations.

VIII. RESPONSIBILITY FOR DAY-TO-DAY ACTIVITIES

As a general rule, the holder shall conduct the day-to-day activities authorized by this permit. Some but not all of these activities may be conducted by a party other than the holder, but only with prior written approval of the authorized officer. The holder shall continue to be responsible for compliance with all the terms of this permit.

IX. REVOCATION AND SUSPENSION

A. REVOCATION OR SUSPENSION.

The Forest Service may suspend or revoke this permit in whole or part for:

1. Noncompliance with Federal, State, or local laws and regulations.
2. Noncompliance with the terms and conditions of this permit.
3. Reasons in the public interest.
4. Abandonment or other failure of the holder to exercise the privileges granted.

B. OPPORTUNITY TO TAKE CORRECTIVE ACTION.

Prior to revocation or suspension under clause IX.A, the authorized officer shall give the holder written notice of the grounds for each action and a reasonable time, not to exceed 90 days, to complete the corrective action prescribed by the authorized officer.

C. REVOCATION FOR REASONS IN THE PUBLIC INTEREST.

If during the term of this permit or any extension thereof the Secretary of Agriculture or any official of the Forest Service with delegated authority determines in planning for the uses of the National Forest System that the public interest requires revocation of this permit, this permit shall be revoked after 30 days' written notice to the holder. The United States shall then have the right to purchase the holder's improvements, to remove them, or to require the holder to remove them, and the United States shall be obligated to pay an equitable consideration for the improvements or for removal of the improvements and damages resulting from their removal. If the amount of consideration is fixed by mutual agreement between the United States and the holder, that amount shall be accepted by the holder in full satisfaction of all claims against the United States under this clause. If mutual agreement is not reached, the Forest Service shall determine the amount of consideration. If the holder is dissatisfied with the amount determined by the Forest Service, the holder may appeal the determination under the agency's administrative appeal regulations.

D. SUSPENSION.

The authorized officer may immediately suspend this permit, in whole or in part, when necessary to protect public health, safety, or the environment. The suspension decision must be in writing. Within ten days of the request of the holder, the superior of the authorized officer shall arrange for an on-the-ground review of the adverse conditions with the holder. Following this review the superior shall take prompt action to affirm, modify, or cancel the suspension.

X. RENEWAL

This permit does not provide for renewal. Prior to termination of this permit, the holder may apply for a new permit that would renew the use and occupancy authorized by this permit. Renewal of the use and occupancy authorized by this permit shall be at the sole discretion of the authorized officer. At a minimum, before renewing the use and occupancy authorized by this permit, the authorized officer shall require that: (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the Forest Land and Resource Management Plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit.

XI. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT RENEWAL

Except as provided in clause IX.C., upon revocation of this permit or termination of this permit without renewal of the authorized use, the authorized officer has the discretion to require the holder to sell or remove all structures and improvements, except those owned by the United States, within a reasonable time prescribed by the authorized officer and to restore the site to the satisfaction of the authorized officer. If the holder fails to sell or remove all structures or improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all cost associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

XII. HEALTH AND SAFETY**A. BOATING SAFETY.**

Select item below when a permitted marina has boat rentals.

1. Boating Laws. Where boats and motors are to be rented to the general public, the holder shall comply with the provisions of all State and Federal boating laws. The holder shall post at each boathouse, dock or wharf, the rules for safe operation.
2. Boating Safety Plan. A comprehensive safety plan shall be jointly prepared by the holder and the authorized officer in charge and the provisions thereof will be executed by the holder. This plan shall be reviewed annually and revised as needed. It will include consideration of hazards involved in the use and enjoyment of the permitted area and lake facilities. It will include provisions for adequate instructions, signs, warnings, signals, banners, buoys, and other safety precautions necessary to provide public safety regarding mechanical equipment and other sources of personal injury.
3. Safety Testing. The Forest Service reserves the right to test any and all boats, canoes, and other devices for water travel to determine their stability and safety and to suspend or prohibit their use if, in the opinion of the Forest Service, they do not comply with the minimum safety requirements of the permit

Select item below. When not applicable.

Not applicable.

B. SANITATION.

The operation and maintenance of all sanitation, food service, and water-supply methods, systems, and facilities shall comply with the standards of the State, local health departments and water control agencies.

C. REFUSE DISPOSAL.

The holder shall comply with all applicable Federal, State, and local requirements related to the disposal of refuse resulting from the use and occupancy authorized by this permit, including waste materials, garbage, and rubbish of all kinds.

D. CONSTRUCTION SAFETY.

The holder shall carry on all operations in a skillful manner, having due regard for the safety of employees; and shall safeguard with fences, barriers, fills, covers, or other effective devices, pits, cuts, and other excavations which otherwise would unduly imperil the life, safety, or property of other persons.

E. HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION.

The holder shall take all measures necessary to protect the environment, natural resources, and the health and safety of all persons affected by the use and occupancy authorized by this permit, and shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any physical or mechanical procedure, activity, event, or condition existing or occurring before, during, or after the term of this permit that causes or threatens to cause: (a) a hazard to the safety of workers or to public health or safety or (b) harm or damage to the environment (including but not limited to areas of vegetation or timber, fish or other wildlife populations, or their habitats, or any other natural resource). The holder shall immediately notify the authorized officer of all serious accidents which occur in connection with such activities. The responsibility to protect the health and safety of all persons affected by the use and occupancy authorized by this permit is solely that of the holder. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations and activities of the holder for hazardous conditions or compliance with health and safety standards.

XIII. RESOURCE AND IMPROVEMENT PROTECTION**A. COMPLIANCE WITH ENVIRONMENTAL LAWS.**

The holder shall in connection with the use and occupancy authorized by this permit comply with all applicable Federal, State, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. 9601 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

B. WATER POLLUTION.

No waste or by-product shall be discharged into water if it contains any substance in concentrations which will result in harm to fish and wildlife, or to human water supplies. Storage facilities for materials capable of causing water pollution, if accidentally discharged, shall be located so as to prevent any spillage into waters or channels leading into water, that would result in harm to fish and wildlife or to human water supplies.

C. ESTHETICS.

The holder shall protect the scenic esthetic values of the area under this permit, and the adjacent land, as far as possible with the authorized use, during construction, operation, and maintenance of the improvements.

D. VANDALISM.

The holder shall take reasonable measures to prevent and discourage vandalism or disorderly conduct and when necessary shall call in the appropriate law enforcement officer.

E. PESTICIDE USE.

Pesticides may not be used to control undesirable woody and herbaceous vegetation, aquatic plants, insects, rodents, trash fish, etc., without the prior written approval of the Forest Service. A request for approval of planned uses of pesticides shall be submitted annually by the holder on the due date established by the authorized officer. The report shall cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time an annual report was submitted.

Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be considered for use on National Forest System lands. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers.

F. ARCHAEOLOGICAL-PALEONTOLOGICAL DISCOVERIES.

The holder shall immediately notify the authorized officer of any and all antiquities or other objects of historic or scientific interest. These include, but are not limited to, historic or prehistoric ruins, fossils, or artifacts discovered as the result of operations under this permit, and shall leave such discoveries intact until authorized to proceed by the authorized officer. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the permit holder.

G. PROTECTION OF HABITAT OF ENDANGERED, THREATENED, AND SENSITIVE SPECIES.

Location of areas needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, 16 U.S.C. 531 *et seq.*, as amended, or as sensitive by the Regional Forester under authority of FSM 2670, derived from ESA Section 7 consultation, may be shown on a separate map, hereby made a part of this permit, or identified on the ground. Protective and mitigative measures specified by the authorized officer shall be the responsibility of the permit holder.

If protection measures prove inadequate, if other such areas are discovered, or if new species are listed as Federally threatened or endangered or as sensitive by the Regional Forester, the authorized officer may specify additional protection regardless of when such facts become known. Discovery of such areas by either party shall be promptly reported to the other party.

H. CONSENT TO STORE HAZARDOUS MATERIALS.

The holder shall not store any hazardous materials at the site without obtaining the prior written approval of the authorized officer, and this approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case

of approval provided after the issuance of this permit, shall be amended to include specific terms and conditions addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms and conditions shall be proposed by the holder and are subject to approval by the authorized officer.

I. SURETY BOND FOR USE OR STORAGE OF HAZARDOUS MATERIALS.

If any hazardous materials are used or stored at the site, the holder shall deliver and maintain a surety bond in accordance with clause XIV.G.

J. CLEANUP AND REMEDIATION.

Except with respect to any Federally permitted release as that term is defined under Section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either on site or in connection with the holder's activities, whether or not those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

K. CERTIFICATION UPON REVOCATION OR TERMINATION.

If the holder uses or stores hazardous materials at the site, upon revocation or termination of this permit the holder shall provide the Forest Service with a report certified by a professional or professionals acceptable to the Forest Service that the site covered by the permit is uncontaminated by the presence of hazardous materials and that there has not been a release or discharge of hazardous materials upon the site, into surface water at or near the site, or into groundwater below the site during the term of the permit. If a release or discharge has occurred, the professional or professionals shall document and certify that the release or discharge has been fully remediated and that the site is in compliance with all Federal, State, and local laws and regulations.

L. ENVIRONMENTAL SITE REPORT.

An Environmental Site Report prepared by the holder prior to issuance of this permit and documenting the known history of the site with regard to the storage, release, or disposal of hazardous materials is attached hereto and made a part of this permit as Exhibit __. Upon revocation or termination of this permit, the holder shall prepare another Environmental Site Report which shall document the environmental condition of the site at that time and describe any storage, release, or disposal of hazardous materials during the use and occupancy of the site by the holder. Both Environmental Site Reports prepared by the holder shall be subject to approval by the authorized officer. A comparison of the two reports shall assist the authorized officer in determining whether any environmental cleanup or restoration is required. Any cleanup or restoration shall be completed promptly by the holder in accordance with all applicable Federal, State, and local laws and regulations.

XIV. MISCELLANEOUS PROVISIONS

A. MEMBERS OF CONGRESS.

No member of or delegate to Congress or Resident Commissioner shall benefit from this permit either directly or indirectly, except when the authorized use provides a general benefit to a corporation.

B. REGULATING SERVICES AND RATES.

The Forest Service shall have the authority to check and regulate the adequacy and type of services provided the public and to require that such services conform to satisfactory standards. The holder may be required to furnish a schedule of prices for sales and services authorized by the permit. Such prices and services may be regulated by the Forest Service: Provided, that the holder shall not be required to charge prices significantly different than those charged by comparable or competing enterprises.

C. ADVERTISING.

The holder, in advertisements, signs, circulars, brochures, letterheads, and like materials as well as orally, shall not misrepresent in any way, either the accommodations provided, the status of the permit, or the area covered by it or the vicinity. The fact that the permitted area is located on the <Name> National Forest shall be made readily apparent in all of the holder's brochures and print advertising regarding use and management of the area and facilities under permit.

D. WATER RIGHTS.

This authorization does not confer any water rights on the holder. Such rights must be acquired under State Law. Such rights must also be relinquished upon revocation or termination of this permit or, if there is a succeeding permit holder, the water rights must be transferred to that holder.

E. CURRENT ADDRESSES.

The holder and the Forest Service shall keep each informed of current mailing addresses including those necessary for billing and payment of fees.

F. TIMESHARE.

No commercial facilities or equipment authorized under this permit will be operated under a timeshare or interval ownership concept. All such facilities will be made available to the general public on a short-term rental basis.

G. BONDING.

Select item below when bonding is NOT REQUIRED.

The authorized officer may require the holder to furnish a bond or other security to secure all or any of the obligations imposed by the terms of the authorization or any applicable law, regulation, or order. The authorized officer may periodically evaluate the adequacy of the bond and increase or decrease the amount as appropriate.

Select item below when bond is REQUIRED.

The authorized officer may require the holder to furnish a bond or other security to secure all or any of the obligations imposed by the terms of the authorization or any applicable law, regulation, or order. The authorized officer may periodically evaluate the adequacy of the bond and increase or decrease the amount as appropriate.

Performance Bonds. As a further guarantee of compliance with the terms and conditions of this permit, the holder agrees to deliver and maintain a surety bond or other acceptable security in the amount of \$ _____. Should the bond or other security delivered under this permit become unsatisfactory to the Forest Service, the holder shall within 30 days of demand furnish a new bond or other security issued by a surety that is solvent and satisfactory to the Forest Service. In lieu of a bond, the holder may deposit and maintain in a Federal depository cash in the amount prescribed above or negotiable securities of the United States having a market value at the time of deposit of at least the dollar amount prescribed above. If the holder fails to meet any of the requirements secured under this clause, money deposited pursuant to this clause shall be retained by the United States to the extent necessary to satisfy any obligations secured under this clause, without prejudice to any rights and remedies of the United States.

The holder's surety bond shall be released or deposits in lieu of a bond shall be returned 30 days after certification by the Forest Service that priority installations under the Master Development Plan are complete, and upon furnishing by the holder of proof satisfactory to the Forest Service that all claims for labor and material for these installations have been paid or satisfied and released.

Prior to undertaking additional construction or alteration work not covered by any existing surety bond or other security, or when the improvements are to be removed and the area restored, the holder shall deliver and maintain a surety bond for that work in an amount set by the Forest Service. The amount of the bond shall not exceed the estimated loss the Government would suffer upon default in performance of this work.

H. HOLDER REPRESENTATIVE.

The holder or a designated representative shall be present on the premises at all times when the facilities are open to the public. The holder will notify the District Ranger in writing who the representative will be.

I. HOLDER'S AND USERS' CONDUCT.

Disorderly or otherwise objectionable conduct by the holder or those occupying the premises with the holder's permission shall upon proof thereof be cause for termination of this permit.

Select item 1. For J. Liquor Sales Permitted.

J. LIQUOR SALES PERMITTED.

The sale of (liquors, (or other intoxicating beverages), (beer and wine) is allowed under this permit. However, if conditions develop as a result of this privilege which, in the judgement of the Forest officer in charge are undesirable, the sale of such (liquors, (or other intoxicating

beverages), (beer and wine) shall be discontinued. In the event that this action becomes necessary, the holder will be informed in writing by the Forest Service.

Select item 2. For J. Liquor Sales Prohibited.

J. LIQUOR SALES PROHIBITED.

The sale of liquors or other intoxicating beverages is expressly prohibited on the area covered by this permit.

K. GAMBLING.

Gambling or gambling machines or devices will not be permitted on National Forest lands regardless of whether or not they are lawful under State law or county ordinances.

L. SERVICES NOT PROVIDED.

This permit is for the occupancy of land for the purposes stated and does not provide for the furnishing of road maintenance, water, fire protection, or any other such service by a Government agency, utility, association, or individual.

M. SUPERSEDED PERMIT.

This permit supersedes a special use permit designated: <Previous Holder>, dated <Insert Date>.

N. APPEALS AND REMEDIES.

Any discretionary decisions or determinations by the authorized officer are subject to the appeal regulations at 36 CFR Part 251, Subpart C, or revisions thereto.

O. PERMIT TERMINATION OF WITHDRAWN LAND.

Select item 1. When "O" clause is mandatory for permits on lands withdrawn for power or reclamation projects.

Any lands described in this permit which have been withdrawn for waterpower purposes under the act of March 3, 1879, or act of June 25, 1910 (or are embraced in an application or license under the Federal Power Act of June 10, 1920), or have been withdrawn under the Reclamation Act of June 17, 1902, are subject at any time to use in connection with the development of waterpower or for reclamation purposes. This permit, therefore, is issued with the specific understanding that (1) its use shall not interfere with such waterpower or reclamation development and that (2) the permit may be, if necessary, terminated upon ninety (90) days notice when in the judgment of the Federal Power Commission, or of the Bureau of Reclamation in the event of reclamation withdrawals, the lands occupied are needed for use in connection with the generation of hydroelectric power, reclamation developments, or other purposes contemplated by the act or acts under which the lands have been withdrawn. No claim shall be made against the United States or power licensees for or on account of prospective profits or for any injury or damage to properties, improvements, or operations due to such development. The holder will be allowed ninety (90) days in which to remove his improvements.

In the event the lands are needed for the withdrawn purposes, clause IX.C. of this permit is inoperative.

Select item 2. When "O" clause is not applicable.

Not applicable.

P. SUPERIOR CLAUSES.

In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provision thereof, the preceding printed clauses shall control.

<Include additional clauses here to address local conditions.>

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for collection of information, if requested, is estimated to average 8 hours per response for annual financial information; 8 hours per response to prepare or update an operation and maintenance plan; 4 hours per response for inspection reports; and 8 hours for each request that may include such things as reports, logs, facility and user information, agreements with third parties, and other similar information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

SCHEDULE A

GROSS FIXED ASSETS

SCHEDULE B

AUTHORIZED SERVICES

SCHEDULE C

AUTHORIZED FACILITIES

Appendix F: Response to Comments

Introduction

The Draft EIS was available for public review and comment from April 24 to May 15, 2006. During the comment period the Sierra National Forest received comments from 182 individuals, agencies, interested groups and elected officials. Organized response campaigns accounted for more the 95% of the responses received.

Public comments received on the DEIS were documented and analyzed. A systematic method of compiling and categorizing all the public viewpoints and concerns submitted during the official comment period for the DEIS was used. This process helps the Forest Service clarify, adjust, or incorporate additional technical information in the preparation of the Final EIS. Responding to comments is not a voting process. The Forest Service looks for distinct comments and responds to each one. The comment may be outside the scope of the document, already covered, or cause the Forest Service to revise the DEIS when compiling the Final EIS.

All of the comment letters and emails were numbered, read and logged into a spreadsheet. Each individual unique comment was identified, categorized and sorted so that like-comments are grouped together. This resulted in 178 unique statements. A response to each comment or group of like-comments was formulated by the IDT. In some cases the public comment is quoted verbatim and in others the concern is summarized or represented by the most common version of the comment. Summation occurred when many people had a very similar comment, generally generated from an organized response campaign, but worded it slightly differently. The project record contains the original letters and content analysis. Presented below are the synthesized comments and Forest Service response to each. Listed with each comment are references to the source of the comment. At the end of this section is a reference list of all the letters received.

I. Process and Planning

Public Comment #1: *This planning process is premature, given that that the proposed action is tiered to the 2005 FEIS/ROD “Trail and Commercial Pack Stock Management in the Ansel Adams and John Muir Wilderness” (2005 Pack Stock Management EIS), which has been appealed. The appeals are currently under review by the Regional Forester and may be subject to litigation. {#52}*

Response: There is no prohibition on the timely implementation of a ROD while appeals are under review. However, in this case, the Regional Forester upheld the Forest Supervisor’s decision on the 2005 Pack Stock Management EIS on June 16, 2006. Consequently it is entirely valid to tier to the direction in the 2005 Pack Stock Management EIS. The Forest Service is implementing the 2005 Pack Stock Management EIS as displayed in the ROD. The Forest Service cannot base actions on the threat of

future litigation. We have also been under a court timeline to complete these two analyses.

Public Comment #2: *The FS must provide a rationale for rushing this analysis. {#52}*

Response: The timeline for completion of the document is based on a court order, which requires that site specific NEPA be completed by December 31, 2006.

Public Comment #3: *The DEIS appears to have been crafted to justify a pre-determined outcome. There are numerous indications in the DEIS that the outcome of this planning process was determined before it was made public, or at least the FS demonstrates a very strong bias toward a particular outcome. {#52}*

Response: The DEIS did not identify any decision. It presents three alternatives for public comment, and does not identify a “preferred” alternative. The FS prepared a proposed action in the scoping phase to provide a description of a detailed action to elicit comments from the public. This action was initiated by the submission of applications for Special Use Permits to provide commercial packing service on the National Forest (DEIS pg.1-4). It is entirely appropriate for one or more of the alternatives to articulate and advocate the applicant’s proposal. Based on scoping comments three alternatives were created and analyzed in the DEIS. The three alternatives include a “No Action” alternative where no SUPs would be issued and two action alternatives where SUPs would be issued under different prescriptions. The ROD states the final decision and the rationale for it. The decisions presented in the ROD are based on a thorough analysis of the alternatives and resultant consequences.

Public Comment #4: *The DEIS fails to acknowledge the specific findings of the federal District Court in “High Sierra Hikers v. Powell” and the Ninth Circuit Court of Appeals in “High Sierra Hikers v. Blackwell”. This unnecessarily prejudices the DEIS in that legal findings concerning past harm and the need for future remedy to which the FS is bound are not acknowledged in the document up front, and are not adequately addresses through out the document. {#52}*

Response: Responding to the Court Order is listed as one of the purposes of the EIS (DEIS pg. 1-4). The FS believes it is meeting all the direction and intent from the court rulings regarding pack stock operations in the Ansel Adams and John Muir Wildernesses as well as other National Forest System lands proposed for pack stock use. The process and documents meet the requirements of NEPA. Prescriptions proposed in the selected alternative and ROD protect the natural resources and wilderness character and are compliant with the Wilderness Act. Remediation for any past harm was addressed in the 2005 Pack Stock Management EIS for the Ansel Adams and John Muir Wildernesses and adopted in this EIS. The direction represents a complex and multi-layered management approach that far exceeds any previous management direction and provides more exact site specific management than a simple reduction in use. In addition the opportunity for adaptation to ensure the prescriptions meet their targets is built into the monitoring.

Public Comment #5: *Given the complexity and extremely controversial nature of the project, 45 days is not sufficient time for the public to review the DEIS. {#52}*

Response: The FS provided more than the minimum required comment period of 45 days for a Draft EIS. The Notice of Availability was published in the Federal Register on April 24, 2006 and copies of the DEIS were mailed prior to that date. Comments were due on May 15, 2006, thus allowing over 50 days for comment.

Public Comment #6: *The DEIS fails to take a hard look at relevant issues that were submitted as scoping comments. Numerous issues would be directly or indirectly caused by implementing the proposed action and therefore meet the definition of “significant” issues. {#52}*

Response: The FS reviewed all the scoping comments in detail. The significant issues presented in the DEIS (pg.1-8) encompass all the significant relevant comments. Each issue is wide in scope and covers several individual comments. For example the issue surrounding grazing (Issue #3) includes analysis of all the impacts associated with grazing activities.

Public Comment #7: *The DEIS includes numerous typographical errors, poor grammar, inconsistent terminology and contradictions that render the document difficult to understand. {#52}*

Response: Every effort has been made to correct any errors and clarify the text in the FEIS.

II. Alternatives

General

Public Comment #8: *The FS chose to approach the 2005 Pack Stock Management EIS as a programmatic document only, and eschewed all issues of monitoring, compliance, and enforcement of that direction to this pack station permitting process. The EIS must include clear and enforceable terms and conditions to ensure that natural resources and the wilderness character are adequately monitored and protected, and that the programmatic direction is actually achieved. {#52}*

Response: A monitoring plan has been included in the FEIS/ROD and was prepared in concert with the 2005 Pack Stock Management EIS and the 2001 Wilderness Plan. With respect to compliance and enforcement, the FEIS cannot assume non-compliance. The terms and conditions of the SUP will reflect the management direction prescribed in the FEIS and ROD. A sample of the typical Special Use Permit terms and conditions has been added to the Appendix in the FEIS. The specific management direction delineated in the FEIS/ROD will be added to the general terms and conditions either directly and/or in an Annual Operating Plan. The management direction in the FEIS is more comprehensive and specific than any previous direction applied to the commercial pack stock operators. This should lead to a more clear definition of what activities are in compliance. Forest Service review of the compliance with the terms and conditions of the permit is an administrative function. When non-compliance is detected, appropriate

action will be taken based on agency policy regarding enforcing the terms set forth in the SUP. The intensity and frequency of review is based on available funding, staffing and forest-wide priorities.

Public Comment #9: *Requirements for commercial pack station operators intended to protect natural resource and public health and safety should be included in the permit authorizing outfitting and guiding service (i.e. not just in each “annual operating plan”). It is essential to specify these conditions in the permit to ensure that they are not removed at the discretion of agency officer without public participation. {#52}*

Response: The clauses in the Special Use Permit incorporate the direction in the Annual Operating Plan (AOP) as well as all Federal, State, and local laws and ordinances. Clauses in the SUP are established nationally and the conditions in the AOP are adapted to local direction and conditions. Admittedly in the past AOPs have varied widely and been somewhat subject to individual Authorizing Officers customizing to localized conditions. Part of the reason for this is because the Land and Resource Management Plans and older Wilderness Plans were somewhat vague and/or out-of-date leaving much latitude for interpretation. However with the 2001 Wilderness Plan, 2005 Pack Stock Management EIS, and now this more site specific EIS the body of management direction is very detailed and specific. This will result in AOPs that are very uniform and detailed, with little room for local interpretation.

Public Comment #10: *The DEIS must specify that permits authorizing the pack station operations within designated wilderness include specific procedure for removing injured or deceased live stock from the backcountry. {#52}*

Response: Removal of injured or deceased livestock would be done as directed by the Authorizing Officer based on the circumstances of the situation. There is no one specific procedure that will match all situations so direction is not included in the FEIS.

Public Comment #11: *The DEIS should specify that permits authorizing pack station operations include specific provisions to protect water quality, and ensure the appropriate disposal of manure. At a minimum, each permit authorizing pack station operations must include language requiring the removal of manure from pack station facilities, and disposal in a specific, appropriate manner that will not impact public safety or water quality. The Forest Service should also commit to performing visual inspections and water quality monitoring, and to documenting compliance. {#52}*

Response: The Forest Service requires pack station facilities to implement Best Management Practices to protect water quality (see Table 3.28). Permits require compliance with Federal and State standards and regulations, local health departments and water control agencies (see Appendix E, sections XII.B, C and E, and sections XIII.A and B). Under this permit requirement, any problems can be addressed as they occur.

There is no requirement or need to remove manure from pack station facilities on the Sierra NF. Operating plans typically specify that manure be spread at the end of the

season to hasten decomposition. The only requirement is to protect water quality, and in order to achieve this, manure is not spread where it could affect any stream.

Assessments of the pack station facilities performed by the District Hydrologist and a representative from the Fresno office of the Central Valley Regional Water Quality Control Board identified only a few isolated concerns with respect to manure contamination of water (see Table 3.33). These sites are proposed for mitigation as described in Alternatives 2 and 3, and disclosed in the Watershed section of Chapter 3 of the FEIS (section 3.2.1).

Public Comment #12: *The DEIS should consider alternatives that would include removing or relocating those pack station facilities that are currently sited in riparian or wetland areas, and/or in any area where discharges of animal waste or earthen materials to surface waters, including wetlands, may occur, as well as any locations with archeological resources. {#52}*

Response: As stated in the response above, there are no significant issues with pack station locations in proximity to wetlands and/or riparian environments on the Sierra NF that are not mitigated by management prescriptions in Alternative 2 and 3.

With respect to heritage (archeological) resources, a detailed description of the management options is presented both in general (DEIS pg. 3-71) and site specifically in each Analysis Unit discussion. These sections cover, in detail, the management prescriptions appropriate to protect the heritage resources.

Public Comment #13: *The DEIS must include specific provisions and sanctions to penalize permittees that do not comply with the terms and conditions of their permits. {#52}*

Response: Imposition of penalties or sanctions for non-compliance is an administrative function guided by Forest Service policy. It is not necessary for the analysis since the EIS cannot assume that non-compliance will occur.

Public Comment #14: *Each pack station permit must contain specific provisions to disallow the practice of “loose herding” or “wrangling” except in rare cases where it is unsafe to tie animals together. {#52}*

Response: The Sierra National Forest LRMP already prohibits loose herding (S&G #352, pg. 4-30). There is no reason to duplicate this direction in this document.

Public Comment #15: *Commercial pack stock enterprises should be required to post bonds to cover the costs to repair damage that they cause or exacerbate. {#52}*

Response: There are provisions in Forest Service Special Use Permits that allow the Authorizing Officer to require a permit holder to furnish a bond or other security to secure all or any of the obligations imposed by the terms of the permit or any applicable law, regulation or order. The Authorizing Officer may periodically evaluate the adequacy of the bond and increase or decrease the amount as appropriate. However, the permit holder cannot be held responsible for normal “wear and tear” that their authorized

use incurs. The topic of bonds is outside the scope of this NEPA document and is an administrative decision by the Authorizing Officer.

Public Comment #16: *Pack outfits should be required to pay a sizable permit fee, and more importantly, a fee for every animal used each day, and for every individual wilderness permit they use. {#34}*

Response: Holders of SUPs on National Forest System lands pay fees according to the type of permit and operation. Fees structures are set by national FS policy and are outside of the scope of this analysis.

Public Comment #17: *I suggest that the Forest Service prepare an honest, unbiased EIS and limit pack stock use to protect the environment, wilderness character, and the wilderness experience of forest visitors. None of the alternatives would adequately address the continuing harm from overuse of the Sierra Nevada by commercial pack stock, nor repair the substantial damage done by these outfitter/guide outfits in the past. {#6, 12, 14, 15, 18, 19, 20, 21, 22, 24, 25, 28, 36, 41, 43, 45, 46, 48, 50, 51, 53, 56, 58, 64}*

Response: The Forest Service believes the FEIS presents management direction that will protect the environment, wilderness character and wilderness experience. Both Alternative 2 and 3 meet the purpose and need as set forth in Chapter 1.

Public Comment #18: *The FEIS should include a comprehensive table or list of management commitments. {#60}*

Response: Several tables have been added to the FEIS that summarize management direction. In addition the monitoring section of the ROD displays the proposed program for monitoring the success of the initial prescriptions and the adaptive management strategy (the “Toobox”) that will be used to make decisions in the future.

Public Comment #19: *Specific management commitments, required facility design criteria, and proposed trail prescriptions should be fully described in the FEIS. If the information is already provided in a table or appendix, the text in the DEIS should provide a reference to this information. {#60}*

Response: The FEIS includes all of the management prescriptions, including permitted facilities and required modifications in the action alternatives. An appendix has been added that lists the standard terms and conditions of the Special Use Permit. Taken together this provides all the necessary management direction for these pack station operations. The proposed trails and management objectives for the Dinkey Lakes Trail management plan are presented both in the text and in tables at the end of Chapter 2.

For Issuing Permits, In Support of Pack Stock

Public Comment #20: *Support stock packing {#16, 17, 49, 61, 63}*

Public Comment #21: *The Forest should renew the Resort Special Use Permits for pack stations. {#17, 37}*

Public Comment #22: *We approve extending authorization for activities of the seven outfitter-guides currently operating in the Sierra National Forest, but object to any significant increase in volume of such services. {#47}*

Public Comment #23: *I strongly resent an approach which could potentially make it very difficult to take even a horse trip. If I were a politician, I would cry, "age discrimination" - "unfair to seniors", etc. {#49}*

Public Comment #24: *I am in favor of permit reissuance because there is no compelling reason to discontinue this service to the public on Public Land. {#59, 61, 63}*

Response: Alternatives 2 and 3 analyze management direction that would allow the pack station operations on the Sierra National Forest to continue.

Opposed to Issuing Permits, Do Not Support Pack Stock

Public Comment #25: *There should not be any commercial pack animals in the National Forest with the exception of those needed to bring supplies to Forest Service staff, workers or volunteers. Eliminate all commercial pack stock travel for tourism in this National Forest {#1, 5, 10, 25, 33}*

Public Comment #26: *I am in favor of no commercial pack stock above 6000 feet, period. This is the only way to protect the environment in long-term sense. {#48}*

Public Comment #27: *Packers should not have unlimited permit use. {#48}*

Public Comment #28: *Unless pack stock is confined to its separate trails and camps I favor banning pack stock from the National Forest. {#57}*

Public Comment #29: *Phase out permits. {#57}*

Public Comment #30: *Packers should be outright eliminated. {#33}*

Response: These opinions are analyzed in Alternative 1, which eliminates commercial pack stock from the Sierra National Forest.

Public Comment #31: *The only people who should be allowed to visit the national forest on the back of pack animals rather than their own two feet are those with permanent disabilities that prevent their access – not because they are too fat or do not choose to live a healthy life style. {#1, 14}*

Public Comment #32: *Use of these wildernesses by commercial outfits should limited to those clients who truly need packer assistance (i.e. disabled persons and other special populations). {#9}*

Response: An important goal of the Forest Service and an aspect of the Purpose and Need is to provide for the recreational experience of those wishing to visit the forest or wilderness areas on stock. Forest Service wilderness policy (FSM 2320) states “Consistent with management as wilderness, permit outfitter/guide operations

Where they are necessary to help segments of the public use and enjoy wilderness areas for recreational or other wilderness purposes.”

Public Comment #33: *Eliminate all stock and pets from wilderness areas. People with dogs routinely let them roam unleashed chasing wildlife and urinating and defecating near streams and campsites. {#50, 56, 58}*

Response: The concern regarding pets in the wilderness was considered in the 2001 Wilderness Plan and is outside the scope of this EIS. Eliminating stock is considered in Alternative 1.

Public Comment #34: *Some secondary trails and whole areas of wilderness should be stock free for the sake of the land and the majority of visitors. {#54}*

Response: Alternative 1 considers eliminating commercial pack stock permits from the Sierra National Forest.

The management direction in Alternatives 2 and 3 does limit stock to system trails not designated as Not Suitable for Commercial Stock (NSCS), approved use trails, campsite access trails and cross-country travel where no discernable tread is created in all alternatives.

Alternative 3 presents management direction that restricts commercial stock to campsites and spot and dunnage sites within wilderness to specific destination zones.

Alternative 1

Public Comment #35: *I support Alternative 1 with changes needed to limit commercial packs stock activities to types and levels that will better protect these magnificent wilderness areas. Specifically, Alternative 1 should be supplemented to include limits on stock numbers, and to specify Service Day allocations for pack outfits that are lower than current actual use levels. {#9}*

Public Comment #36: *I support Alternative 1 which would eliminate all commercial pack stock operations from the western Sierra National Forests. {#32}*

Response: Comments that state a position for or against a specific alternative are appreciated as this gives the Forest Service a sense of the public’s feeling and beliefs about a proposed course of action. Such information can only be used by the Responsible Official in arriving at a decision and not for improving the environmental analysis or documentation.

Alternative 2

Public Comment #37: *Alternative 2 does not meet the mandates of the Wilderness Act to preserve the wilderness character. The FS must scrap Alternative 2. {#52}*

Response: The FS believes that Alternative 2 is legally viable in meeting the Wilderness Act and preserving the wilderness character.

Alternative 3

Public Comment #38: *We oppose much of the management direction in Alternative 3.* {#52}

Public Comment #39: *We recommend the Forest Service seriously consider adoption of Alternative 3-Destination Management as the preferred alternative.* {#60}

Public Comment #40: *The change from trailhead to destination quotas appears to be reasonable.* {#47}

Response: Comments that state a position for or against a specific alternative are appreciated as this gives the Forest Service a sense of the public's feeling and beliefs about a proposed course of action. Such information can only be used by the Responsible Official in arriving at a decision and not for improving the environmental analysis or documentation.

Range of Alternatives

Public Comment #41: *The DEIS is deficient because it fails to analyze a range of reasonable alternatives that would comply with the Wilderness Act's mandate to preserve wilderness character and to limit commercial enterprises to the extent necessary.* {#52}

Response: The FS believes that the two action alternatives (Alt. 2 & 3) combined with the no action alternative (Alt. 1) presents a reasonable range of alternatives. In addition Chapter 2 presents other alternatives that were considered but eliminated from detailed study and the rationale for removing them. We believe that both Alternatives 2 and 3 meet all legal mandates to protect the wilderness and non-wilderness areas proposed for use by pack station operators. Needs Assessments for the Ansel Adams, John Muir, Dinkey Lakes and Kaiser Wildernesses present a valid argument for the "extent" these services are "needed". The FEIS presents an expanded section on alternatives that were considered but eliminated from detailed study and the rationale for not examining them further.

The FS believes there is a significant difference between Alternative 2 and 3 in some very critical topics. While the two are similar in their effects on some resources they offer substantial differences in impacts to other resources and the Forest Service ability to implement adaptive management in the future.

Public Comment #42: *The DEIS fails to consider a reasonable range of alternatives for group size limits.* {#52}

Response: The 2005 Pack Stock Management EIS examined a reduced group size of 12 people and 20 head of stock (Alternative 4). As stated in the 2005 ROD it was concluded that with the exception of some site specific restrictions reduced party sizes where "neither necessary nor desirable" (ROD pg. 12). There is no compelling reason to

assume the conclusion would be different for the areas outside the AA/JM and therefore no reason to revisit this issue.

Allocations

Public Comment #43: *The DEIS should evaluate alternatives to reduce commercial pack stock uses to types and levels that will prevent degradations of the wilderness character, and allow for the restoration of areas that are currently impaired. {#52}*

Public Comment #44: *The DEIS should include alternatives that reduce the number of pack stock allowed {#1, 2, 5, 6, 9, 14, 18, 20, 22, 25, 30, 31, 32, 33, 35, 41, 45, 50, 56, 57}*

Public Comment # 45: *Limit the number of stock per trailhead. {#34}*

Response: The FEIS has an expanded section on alternatives considered but eliminated from further study (FEIS Section 2.3) which discusses alternatives that would reduce commercial pack stock. With respect to operations in the Ansel Adams and John Muir Wildernesses the 2005 Pack Stock Management EIS includes detailed analysis of alternatives that propose reduced levels. We have consistently communicated the scope of this analysis and that it will not revisit decisions that have just been made in the 2005 FEIS/ROD. For the Dinkey Lakes and Kaiser Wilderness allocated use is so low that there is no substantial benefit gained by examining an alternative that lies between those proposed and eliminating all use. Outside the wilderness areas the FEIS presents several effective and specific prescriptions other than reducing use designed to restore or maintain areas as needed ensure the resources are protected.

Public Comment #46: *The DEIS must analyze and adopt an alternative that would limit the number of permits. Despite the plain direction in the Ninth Circuit opinion, this DEIS would grant more permits than had been granted even at that time (i.e. granting a permit for overnight pack stock use to Muir Trail Ranch, as well as all operations that previously held permits). {#52}*

Public Comment #47: *Limit the wilderness permits allotted to commercial entities. {#34}*

Response: The DEIS does not propose more permits than have been issued over the past several decades. The type of services offered by Muir Trail Ranch (MTR) has not changed and their overnight use does not represent any newly permitted activity. The 2005 Pack Stock Management EIS explained in detail the clerical error in recording use by MTR that was made in the 2001 Wilderness Plan (FEIS pg. II-11, FEIS Appendix C pg. C-68).

An alternative that considered fewer SUPs was eliminated from detailed study (FEIS Ch. 2). In this situation the number of permits does not exert any control on the level, type and distribution of pack station use. Any voids created by not issuing a permit to an applicant would be filled by neighboring operations either from the westside or eastside of the Sierra Nevada potentially resulting in more stock traffic on the trail system as

operators travel farther distances. The action alternatives have mechanisms to control the amount, frequency, location and timing of use. These are based on the ability of the landscape to accommodate the prescribed amount of use. It is not relative how many permits fulfill the allocations, but rather what are the specific levels of use allowed.

The 2005 Pack Stock Management EIS carefully and exhaustively considered the appropriate amount of commercial pack stock use in the Ansel Adams and John Muir Wildernesses that would be compliant with applicable law and court decisions. Alternative 1 in that EIS, which was a replication of the direction contained in the 2001 Wilderness Plan, was not selected as the preferred approach for managing commercial pack stock in these wilderness areas as it was found to be inferior to the alternative selected in protection of the wilderness.

Public Comment #48: *The DEIS must analyze and adopt an alternative that would limit the amount of commercial use below pre-existing levels. Under the DEIS each commercial operator would be permitted more use than previously permitted under the 2001 Wilderness Plan. {#52}*

Response: Alternatives that considered use below that proposed in the action alternatives were considered but eliminated from detailed study (FEIS Ch. 2).

The 2005 Pack Stock Management EIS analyzed several alternatives that explored reduced use, as well as not issuing any permits for the Ansel Adams and John Muir Wildernesses. The Record of Decision selected a destination management strategy which regulates the appropriate amount of use to protect the resources and preserve wilderness character. For these wildernesses we have clearly stated we are not reanalyzing the 2005 decision in this EIS.

For the Dinkey Lakes and Kaiser Wildernesses we have concluded that there is no value in analyzing an alternative that sets use somewhere between none (Alternative 1) and what is proposed in Alternatives 2 and 3. The proposed allocations, as proposed in the action alternatives for these wildernesses, result in relatively minimal impacts. The quantifiable environmental differences for some mid-point alternative would not present measurable differences. In other words, an alternative that for example set the allocation at 50% of that proposed would not result in a linear 50% reduction in environmental impacts. Our ability to detect and measure 50% of the proposed allocation is not acute enough to display significant differences. Merely reducing commercial services to arbitrary levels below those proposed does not demonstrate a corresponding improvement to the condition of the Kaiser and Dinkey Lakes Wildernesses.

Since the proposed allocations are so low to begin with, significant reductions (i.e. more than 50%) would drop below any threshold where it would be practical for commercial pack stock operations to take place, therefore there is no point in a detailed analysis since the “no permits” alternative is already presented.

For areas outside the wildernesses sweeping reductions in allocated use are unnecessary and would generally miss the mark to correct the targeted environmental concerns. The

prescriptions proposed in Alternatives 2 and 3 have site and action specific direction that mitigates the identified environmental impacts.

Public Comment #49: *There has never been an official allocation of overnight service-days for the Muir Trail Ranch, and we opposed the proposal to allocate overnight service-days to Muir Trail Ranch in the 2005 Pack Stock Management EIS. {#52}*

Response: A detailed explanation of the misinterpretation that was made when categorizing service days for Muir Trail Ranch and the resultant inadvertent error in the 2001 Wilderness Plan is described and corrected in the 2005 Pack Stock Management EIS (Vol. 3: pg. C-68). Current allocations for a pack station at Blayney Meadows are displayed in the 2005 Pack Stock Management EIS. This EIS displays the specific allocation for use in the AA/JM in Appendix C: pg C-9 for the Muir Trail Ranch.

Public Comment #50: *The DEIS needs to include alternatives that lowers the limits on the maximum number of stock animals per party as recommended by scientists. (Various comments cited a recommended number of stock ranging from 4 - 15; one comment suggested: 1 head per rider & one head for 3 people's gear) {#1, 2, 4, 5, 9, 10, 12, 13, 14, 15, 16, 18, 20, 22, 26, 28, 29, 30, 32, 34, 35, 38, 40, 41, 44, 45, 46, 50, 53, 55, 56}*

Response: The 2005 Pack Stock Management EIS examined a reduced group size of 12 people and 20 head of stock (Alternative 4). As stated in the 2005 ROD it was concluded that with the exception of some site specific restrictions, reduced party sizes where “neither necessary nor desirable” (ROD pg. 12). There is no compelling reason to assume the conclusion would be different for the areas outside the AA/JM and therefore no reason to revisit this issue.

Public Comment #51: *The DEIS must include a detailed plan for monitoring and verifying herd size at each pack station. Monitoring cannot be based on self-reporting by permittees. {#52}*

Response: Compliance with the terms and conditions of the Special Use Permit is the responsibility of the Authorizing Officer. In this case for forest-wide permits that is the Forest Supervisor. Responsibility for inspection and compliance is delegated to the District Rangers. Each Ranger District has a Permit Administrator who conducts or supervises the actual field reviews or collects the information from other sources. Valid sources of information include other Forest Service employees (i.e. Wilderness Rangers, Range Specialists etc.) and the Permit Holder.

Public Comment #52: *Use into or through Yosemite National Park will comply with authorizations or use level limitations set by National Parks. We are given limit of 4 all expense trips into YNP. As we do not have a limit set number of all expense trips in our permit with YNP, how can USFS set a limit? {#42}*

Response: Comment is correct. DEIS Appendix C: pg. C-8, C-10 notes that the trip quota into Yosemite National Park is “...an estimate of use. Actual trips into Yosemite

NP will be governed by YNP.” This notation has been added to the all expense trips. The Forest Service intends to respect the limits set by the National Park Service.

Public Comment #53: *MPS has a total of 251 Destination Quotas for a season. 95% of services are spot & dunnage trips, which count for a trip when clients are dropped off, and again when they are picked up. This means that 251 should be divided by 2. Therefore MPS actually has 125 trips for the season of July 1 to Oct 1 (approximately 100 days). This averages 1.25 trips per day. The number of trips is too low as data was collected during the court ordered 20% reduction in service. {#42}*

Response: The destination quotas were based on several factors. As a starting point the most trips taken to the destination from 2001 to 2004 was calculated. Then this number was adjusted based on analysis of the conditions and capacity at the destination including meadows, campsites, trails etc. The quota at each destination stands alone and is generally independent of other destinations. Consequently the final prescriptions should not have been overly influenced by the court ordered reductions. Should the quotas be found to be incorrect based on monitoring, the 2005 Pack Stock Management EIS contains direction (called the “Toolbox”) for the conditions that need to be met for either raising or lowering the quota. The DEIS adopts the quotas as proposed in the 2005 Pack Stock Management EIS and this EIS does not reanalyze them.

Public Comment #54: *The DEIS does not include an upper limit on service days for the commercial activities. Limits need to be included. {#1, 4, 9, 18, 21, 22, 28, 29, 32, 35, 46, 50, 53}*

Response: For operations in the AA/JM wildernesses the concept of service days was analyzed in several of the alternatives in the 2005 Pack Stock Management EIS but not selected. This EIS does not reanalyze the use allocation method for the AA/JM. For the Kaiser and Dinkey Lakes Wildernesses Alternative 2 proposes service day limits for each pack station.

Public Comment #55: *The DEIS should not allow any increase of commercial pack stock trips from the Inyo National Forest into Sequoia and Kings Canyon National Parks. There should be limits adopted to prevent any increase in the number of pack trips into the national parks. {#1, 7, 9, 11, 14, 15, 18, 20, 22, 24, 25, 43, 55}*

Response: Travel from the Inyo National Forest into Sequoia and Kings Canyon National Parks is outside the scope of the EIS, which deals with use from the Sierra National Forest. For pack stations entering either Yosemite NP or Sequoia Kings NP the 2005 Pack Stock Management EIS establish a limit based on input from the Parks and addressed the potential impact in the cumulative effects. The EIS adopts the prescriptions set in the 2005 Pack Stock Management EIS and does not reanalyze prescriptions associated with travel through the National Forest into the National Parks. Ultimately it is up to the National Park Service to set limits for commercial use within the parks.

Public Comment #56: *I oppose the 400% increase for commercial pack stock trips into the Kaiser Wilderness. There is no justification for this. The DEIS provides no*

justification for this increase. {#1, 9, 10, 14, 15, 16, 18, 19, 20, 21, 22, 25, 28, 31, 36, 38, 41, 43, 45, 46, 55}

Public Comment #57: *I oppose any increase in stock use in the Kaiser Wilderness. {#1, 5, 9, 10, 28}*

Public Comment #58: *Reduce use in the Kaiser Wilderness. {#50, 56, 58}*

Response: None of the action alternatives increase use in the Kaiser Wilderness by 400%. Alternative 2 proposes a total limit of 558 service days to be used between the Kaiser and Dinkey Lakes Wilderness. This allocation is the same as currently permitted. Alternative 3 proposes a total of 40 spot and dunnage trips distributed between six destinations (see DEIS pg 2-21 for exact proportions). In the past five years (2001-05) the maximum total trips to each of the destinations total 36 trips. Since most groups are packed in and out the four extra trips proposed in Alternative 3 would represent two additional parties. At an average of 6.2 people per party for the commercial packer in the Kaiser this amounts to an additional twelve (12) people or an increase of <1% to the average total number of people that enter the Kaiser annually. The operator is limited to 25 stock-at-one-time in the Kaiser Wilderness further adding a layer of control.

Alternatives that reduce use were considered but eliminated from further study based on the rationale displayed in Chapter 2.

Public Comment #59: *A limit should be put on the number of pack animals allowed per day. A large number on one day adversely affects everyone in the forest that day. It does not matter what the total number per season is. I and many hikers are concerned with the number of animals I meet when I am there. {#5, 10}*

Public Comment #60: *I believe that the Sierras should have no more than one Packer Permit issued per day per allowable trailhead (not all trailheads should be open to them), and only five mules/horses per permit and five days total travel within the Forests and Parks. {#24}*

Public Comment #61: *No limit on the number of days and the dates of entry of stock parties. {#7}*

Public Comment #62: *Permits need to specify general limits of number of stock used per day and per year for each permittee. {#40}*

Public Comment #63: *Pack stations should be allowed one trip per day. {#55}*

Public Comment #64: *The DEIS fails to establish any concrete upper limit on the amount of commercial activity. Any credible plans must specify limits on the magnitude of commercial uses. {#4, 7, 9, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 24, 25, 27, 29, 31, 38, 39, 41, 44, 45, 51, 53, 55, 64}*

Public Comment #65: *Prevent any increase in commercial trips into the Sierras in an environment that was not meant to handle them. {#31}*

Response: For the AA/JM wildernesses a “Stock-at-one-time” (SAOT) limit is imposed for each operator in both Alternatives 2 and 3 (Appendix C). For the Dinkey Lakes, and Kaiser Wildernesses a SAOT limit is proposed in Alternative 3 (DEIS pg 2-15). These limits effectively restrict the number of stock that can be in any of the wildernesses at one

time and therefore manage the maximum numbers of encounter that can be expected each day.

Alternative 2 retains the concept of service day limits for the Dinkey Lakes and Kaiser Wilderness.

Alternative 3 implements the concept of destination management in the Kaiser and Dinkey Lakes Wilderness as well as the MWSR. Under this concept specific destinations are delineated and each has a trip quota. Thus, the total number of annual trips into each destination is capped.

Public Comment #66: *Limit destinations to reduce impact. {#26}*

Response: Alternative 2 and 3 utilize the concept of destination management for the Ansel Adams and John Muir Wildernesses and Alternative 3 proposes destinations in the Kaiser and Dinkey Lakes Wilderness and Merced Wild and Scenic River area. The resource conditions of these destinations have been thoroughly analyzed and the trip quotas have been set to meet the desired condition in each destination zone. Under destination management the trips serviced by commercial packstock will be limited by number and location based on historical use and current resource condition.

Public Comment #67: *Opposed to packers writing their own permits. {#29}*

Response: As a result of the direction in the 2001 Wilderness Plan, and as confirmed in the 2005 Pack Stock Management EIS, all wilderness permits must be written by the Forest Service or an authorized contractor. The practice of pack station operators writing wilderness permits was discontinued in 2001. This EIS does not change that policy.

Public Comment #68: *Livestock should not be allowed use in any more than 20% of the popular camping areas {#34}*

Response: Alternative 3 proposes only four campsites as designated stock camps, where the packers are permitted to hold their stock overnight in the Kaiser and Dinkey Lakes Wildernesses. The results of the 2001 Wilderness Plan baseline inventory of campsites show that there are 167 campsites in the Kaiser Wilderness and 189 in the Dinkey Wilderness. Limiting the overnight use by livestock to a total of 4 sites in these two areas and limiting the destinations for commercial pack stock use to 15 areas in the Kaiser and Dinkey Wilderness and the Merced River Wild and Scenic River does restrict livestock to less than 20% of the overall area addressed in this document.

Public Comment #69: *I support smaller group sizes for stock parties. {51}*

Response: Resource conditions of historically established campsites used by packstock as well as trail conditions have been thoroughly analyzed. Alternative 3 does place restrictions on the number of trips to destination areas and within the MWSR restrictions have been placed on the number of stock that can be held overnight. Monitoring is proposed for areas of resource concern and further limits, including site specific party size, may be imposed if conditions indicate a downward trend.

Campfire Restrictions

Public Comment #70: *The proposal to grant commercial operators exceptions to campfire closures in the Dinkey Lakes and Kaiser Wildernesses under Alternative 3 would be unfair, unenforceable, and cause excessive harm to natural resources and wilderness character. {#52}*

Public Comment #71: *Commercial packers should not be allowed to haul firewood into areas where others cannot. This is so unfair. {#1, 5, 9, 10, 12, 14, 15, 16, 18, 19, 20, 22, 24, 25, 26, 27, 28, 20, 34, 35, 36, 39, 40, 41, 45, 46, 47, 48, 49, 50, 51, 53, 55, 56, 62, 64 }*

Public Comment #72: *If packers are allowed to have campfires in closed areas how will Rangers enforce the rules? How will they know if the firewood was packed in or gathered on the site? How will they prevent others who observe the fire from also having fires illegally? {#3, 9, 14, 18, 19, 22, 32, 36, 39, 41, 43, 45, 46, 49}*

Public Comment #73: *Part of the problem with fires is the scar they leave on ground and rocks. {#1, 3, 5, 6, 9, 11, 32, 38}*

Public Comment #74: *Bringing in wood from outside also brings in insects in the firewood --new insects from other altitudes that could cause ecological damage. {#5, 10}*

Response: The proposal to allow campfire restriction exemptions in the Dinkey Lakes Wilderness has been deleted from the FEIS. The Kaiser Wilderness was never included in the proposal.

Public Comment #75: *Commercial packers should not be allowed to have campfires above 9,600 feet (north) and 10,000 feet (south). {#9}*

Public Comment #76: *Absolutely no fires allowed anywhere and at any elevation - packers and backpackers alike {#24}*

Response: The elevational fire closures currently in effect for all visitors to the Ansel Adams, John Muir and Dinkey Lakes Wildernesses (10,000 feet north of King's Canyon NP /10,400 feet south) were established by the 2001 Wilderness Plan. This EIS does not reevaluate that decision because the portions of the Kaiser and Dinkey Wilderness that are above these fire closures are inaccessible to stock and therefore, the discussion is outside of the purpose and need for this document.

Day Use

Public Comment #77: *Day-rides should be promoted in non-wilderness locations. {#9}*

Public Comment #78: *Day use should be reduced or eliminated in these wildernesses. The trail head areas are already over-crowded, and trails have become horribly dusty in many areas. The proposal to increase day rides is a horrible idea that will substantially worsen crowding & dust at trail head areas. Dust and flies from horse manure is a health issue as well as an aesthetic issue. {#9}*

Response: Day rides are not approved in the Dinkey Lakes Wilderness. In the case of the Ansel Adams, John Muir and Kaiser Wildernesses there is no proposal that significantly increases day rides within the wilderness. In the Ansel Adams and John Muir Wildernesses day rides are controlled by stock-at-one-time limits. In the Kaiser

Wilderness there is only one operator authorized to conduct day rides. Day rides originate from the packstation and access system trails by way of approved use trails. Discussion of conditions at trailheads is outside the scope of this document. The number of day rides is controlled by the number of stock allowed for the operator and there are no alternatives that propose an increase of this number.

Public Comment #79: *Commercial day rides are unnecessary within the John Muir and Ansel Adams wildernesses and should not be allowed. {#52}*

Response: Day rides within the AA/JM wildernesses were analyzed in detail in the 2005 Pack Stock Management EIS. This EIS incorporates that direction.

Public Comment #80: *Where day rides are allowed (i.e. non-wilderness), the DEIS should establish a method to accurately track, record, and audit the actual day rides used by each permittee. {#52}*

Response: The FEIS adds direction that permittees would be required to report day ride use monthly.

Watershed

Public Comment #81: *The DEIS is deficient because it fails to consider and evaluate management measures for backcountry areas to prevent animals from depositing manure and urine directly into surface waters. The DEIS fails to assess these impacts or explore options for avoiding these discharges such as: (1) requiring portable electric fences to keep animals away from water sources; (2) requiring diapers on stock animals; (3) keeping animals tied up away from water sources and supplying supplemental feed (so animals do not have access to freely defecate in surface waters); and/or (4) allowing stock animals to graze only in areas where they will not drift into areas near surface waters. {#9, 52}*

Response: Alternative 1 analyzes the absence of discharges of commercial pack stock deposition of manure and urine into surface waters – this is similar to complete mitigation of pack animal wastes. The impacts of allowing these animals without the suggested mitigation measures are fully disclosed in the DEIS (see also response to Comment #144). The discussion has been improved in the presentation of the effects of Alternative 2 and Alternative 3 in the FEIS (section 3.2.1), in response to public comments. This range of alternatives brackets the effects of allowing the animals with the suggested mitigations.

The suggested measures were not carried forward into an alternative for the following reasons: water quality impacts from animals defecating or urinating in water were not determined to constitute a problem in terms of attainment of water quality standards or support of beneficial uses in this project area (section 3.2.1); implementation of grazing area standards and guidelines is expected to prevent the congregation of animals in and near surface water, and management adjustments would occur if monitoring finds that animals do exceed standards for impacts to stream channels and wet areas (section 3.2.1); animals must access surface water to drink; and use of diapers is problematic in

combination with the pack saddles, which must meet special safety requirements due to the steep and uneven terrain that these animals travel.

Grazing

Public Comment #82: *Despite the poor track record of monitoring and reporting, the DEIS would rely on self-reporting by commercial pack stock operators to monitor grazing use. The Forest Service has never demonstrated that commercial operators can be relied upon to accurately monitor and report their use, whether it be of grazing, service days, destinations, use trails etc. That the DEIS does not include an analysis of actions to deal with these issues is unacceptable, and the Forest Service should not permit any grazing until they are adequately addressed.*

The DEIS should indicate the rationale for proposing to delegate oversight to avoid sensitive or critical areas to the packer or wrangler, and analyze the potential consequences of this proposed action. The Forest Service must commit to monitoring and documenting compliance with the terms and conditions of each permit. {#52}

Response: Self reporting is a common special use permit requirement. The Final EIS cannot assume non-compliance with proposed operating plan direction and requirements. The Forest Service will not rely entirely on permittee self-monitoring. It uses permittee self-reporting and self-monitoring to extend the information it has available to manage the resource and as a tool to improve permittees' management and understanding of the standards they are required to meet. There will be checks by Forest Service staff to verify the information provided by permittees.

Public Comment #83: *All grazing use on public lands must be reported and monitored, both to manage the resource and to collect appropriate fees. {#52}*

Response: We agree.

Public Comment #84: *Opposed to any commercial stock grazing at Quartz Mt. Trailhead in Nelder Analysis Unit as these meadows are under cattle grazing permit to the Muglar Allotment {#42}*

Response: The Quartz Meadow complex is closed to pack stock grazing (DEIS pg. 2-47) due to wet conditions and overlap with the cattle allotment.

Heritage

Public Comment #85: *The DEIS identifies significant impacts from commercial pack stock use to archeological resources, but includes no specific actions to mitigate these impacts. Such impacts are summarized in the DEIS at p. 3-6. {#52}*

Response: The paragraph quoted from the DEIS (p. 3-65) does not summarize impacts, but describes where Heritage Resource sites and pack stock use coincide. Impacts to

Heritage Resources in each Analysis Unit are described under Environmental Consequences (p. 3-72 to 3-83). The Proposed Action, Alternative 2 and 3 has built-in prohibitions or restrictions on the use of trails and overnight stock camps to alleviate impacts that were found to be occurring to Heritage Resources. Where impacts were ambiguous, monitoring is required to determine the presence or absence of ongoing impacts. See DEIS Tables 2.15 and 2.23. The Heritage Resource section has been substantially revised in the FEIS to improve clarity.

Public Comment #86: *In a specific instance, significant impacts are identified, but the DEIS states only that a “management plan” will be developed at some future date (probably with no NEPA analysis) to deal with the situation. {#52}*

Response: Specific Management Options are listed on DEIS page 3-71. A *Programmatic Agreement Among The Pacific Southwest Region, USDA Forest Service, California State Historic Preservation Officer, Nevada State Historic Preservation Officer, & The Advisory Council on Historic Preservation Regarding the Identification, Evaluation & Treatment of Historic Properties within the Area of Potential Effect of Pack Station Operations & One Outfitter Guide Operation on the Inyo and Sierra National Forests, California and Nevada (PA)*, has been developed specifically for this project to address potential impacts to heritage resources from commercial pack station operations. Stipulation 4.0 of the PA outlines the development of a Historic Properties Management Plan (HPMP) for each pack station. These HPMPs provide a property-by-property list of required actions needed to protect heritage resources and to lessen or mitigate adverse effects to these resources from pack station operations. Management measures will be specific to each pack station’s situation.

The PA/HPMP will implement an adaptive management strategy for heritage resources over the life of the Special Use Permit. With the use of the PA/HPMP, standard protection measures can be applied over time to achieve maximum resource protection.

Trail Suitability

Public Comment #87: *The DEIS must specify that permits authorizing the pack station operations within designated wilderness include specific provisions regarding early season access on snow covered trails. {#52}*

Response: Direction for early season trail opening is contained in the “Toolbox” section located in the Record of Decision.

Public Comment #88: *The DEIS should specify that permits authorizing the pack station operations include specific provisions that pack stations may operate only on trails approved for use, including wilderness and non-wilderness areas. {#52}*

Response: The DEIS prescribes the following for all pack stations in Alternative 2 and 3 (DEIS pg. 2-5). This direction is unchanged in the FEIS.

- Ansel Adams, John Muir and Dinkey Lakes Wildernesses – Use is permitted on all system trails except those designated “Not Suitable for Commercial Use”. Travel on user trails and cross country is prohibited except where specifically approved.

- Kaiser Wilderness and all non-wilderness - Use is permitted on all system trails and roads except those designated “Not Suitable for Commercial Use”. Travel is permitted on all use trails and cross country except where specifically prohibited (DEIS pg. 2-26, Table 2.15).

Public Comment #89: *The trail from Chiquito Trailhead to Yosemite National Park at Chiquito Pass (23E01) needs to be included in the Clover Analysis Unit as well as the Nelder Analysis Unit. {#42}*

Response: It is not appropriate for Analysis Units to overlap as they delineate specific discrete portions of the landscape. The EIS does recognize that the Chiquito Pass area of the Nelder Analysis Unit is used by two pack stations, Yosemite Trails Pack Station and Minarets Pack Station (DEIS pg. 12-13). The maps have been revised to also recognize this combined use.

Public Comment #90: *Trail CLO06 is part of System Trail 26E01. {#42}*

Response: Use trail CLO06 was identified as a separate path parallel to trail 26E01.

Public Comment #91: *The Chiquito Trail (23E01) does not need rerouting. It has been in the same location for over 100 years. The trailhead and road have more of an effect on the archeological site than the trail has. Close the road and move the trailhead. {#42}*

Response: The trailhead and road are not an issue. A reroute is proposed for a section of the trail approximately 440’ long. It has been determined that the commercial pack station operations contribute to the direct effects of the resource of concern. (DEIS pg. 3-76).

Public Comment #92: *Do not understand where CLO06, CLO04, CLO07, CLO03 came from unless they are cow trails. {#42}*

Response: CLO03 is a 1.2 use trail that parallels system roads and CLO05.

CLO04 is a small 0.4 mi. short cut that leaves road 5S34Y. It is prohibited from use due to resource concerns and use must stay on the road.

CLO06 is a short cut that parallels trail 26E01. Pack stock use is restricted to 26E01.

CLO07 parallels approved user trail CLO02.

In general use trails were surveyed by the IDT and located with the assistance of the pack station operator either on the ground or by map. In some cases the IDT observed use of these trails by the pack station.

Public Comment #93: *The DEIS acknowledges that funding for trail maintenance and reconstruction is declining and expected to continue to decline. The DEIS should respond to this reality by prohibiting commercial stock use on routes that are unsuitable for stock animals. The proposal to "recommend periodic monitoring" of trail conditions does nothing to prevent the on-going damage being caused by stock use on trails that have never been properly constructed or maintained to withstand stock use. {#1, 5, 7, 9,*

10, 11, 13, 14, 15, 16, 18, 19, 20, 21, 25, 28, 31, 35, 36, 38, 39, 40, 41, 43, 45, 46, 50, 54, 55, 56, 57}

Response: In all alternatives, the FEIS prohibits commercial stock on trails that are unsuitable for commercial stock. The project area includes few trails that have risk factors high enough to be considered unsuitable for commercial stock, and trail conditions are not expected to deteriorate because of commercial stock under the proposed levels of use in any alternative. Recommended periodic monitoring has been included because of concerns with other resources in the area, not with the stability of the trails themselves.

Public Comment #94: *All “Class 1” trails should be closed to commercial pack stock.* {#9}

Response: Trail suitability for all alternatives was analyzed on all system trails regardless of trail class and was based upon current resource condition and trail stability. Trails that were deemed not suitable for commercial stock (NSCS) under Alternative 3 are listed in Tables 2.15 and 2.17.

Public Comment #95: *Prohibit all off-trail travel by stock animals to protect soil and vegetation* {#1, 4, 9, 12, 14, 15, 18, 21, 22, 24, 25, 28, 32, 34, 35, 38, 39, 41, 44, 45, 46, 50, 51, 53, 54, 55, 56}

Response: Under Alternatives 2 and 3 commercial stock use off of existing system trails is limited to approved use trails. Use of these trails is based on resource condition taking access to approved grazing areas and destination areas into consideration. Repetitive use which can damage soils and vegetation would result in the formation of a visible tread. Off-trail travel is permitted only if a visible tread is not formed.

Public Comment #96: *Pack outfits should be made responsible for the maintenance of the trails which they degrade. They should all be required either to send out periodic work parties, or to pay for contract crews to do some serious tread work where the trails are degraded or full of loose, horse kicked rocks.* {#34}

Response: On identified use trails, pack station operators will work cooperatively with the Forest Service to stabilize or reconstruct sections of trail. If project level NEPA is required for the trail work it would be completed prior to authorizing the work.

Public Comment #97: *Areas with major livestock use should have a separate trail for animal use, built and maintained by the pack outfits, with pack stock prohibited from the public hiking trail.* {#34}

Response: Construction of parallel trails would adversely impact wilderness character in all of the wilderness areas. The impacts to all resources in both wilderness and non-wilderness settings would increase with the addition of another trail system. In many areas, it would simply not be even geographically possible to create a separate trail system, such as over some of the passes. Stabilizing existing system trails for all uses will help to minimize resource concerns.

Public Comment #98 *Because all of our Special Use Permits will have to be changed due to the “Not Suitable for Commercial Stock” trail designation, we strongly oppose the*

use of this term. Pack Stations on both sides of the Sierra are adversely affected by such actions, and therefore are kept from accessing their traditional use sites. {#37}

Response: Only the Dogtooth Peak Trail (0.8 miles) has been proposed for the “Not Suitable for Commercial Stock” classification in Alternatives 2 and 3. This classification identifies trails that, for a variety of reasons, are proposed for closure to commercial stock. Special Use Permits will reflect the closure of these trails. The FEIS analyses the effect of these proposals on both resources and the operations of the pack stations.

Public Comment #99: *Stock should be restricted to a few "sacrifice" trails. {#55}*

Response: Trails are managed for resource condition and suitability based on all users. Trails found to have resource concerns which preclude further use by commercial stock have been designated as Not Suitable For Commercial Stock in Alternative 3.

Public Comment #100: *Where commercial pack stock use is clearly contributing to continued impairment of water quality, ecological function and trail condition; we recommend realigning pack stock use levels with trail condition, the level of trail development and the trail classifications. The FEIS should include a comprehensive table of use and system trails, traveled by commercial pack stock, with proposed management actions to address adverse water quality and hydrologic impacts. {#60}*

Response: Where commercial pack stock use is clearly contributing to continued impairment of water quality, ecological function and trail condition, the FEIS either prohibits commercial stock or has analyzed the adverse effects and disclosed those adverse effects. Comprehensive maps of use trails and system trails are included in the FEIS. Where adverse water quality and hydrologic impacts are occurring as a result of commercial pack stock, any required mitigation measures are outlined and the adverse effects are disclosed in Section 3.2.1.

Public Comment #101: *If adequate trail maintenance and reconstruction in the East Huntington Analysis Unit is not feasible in the near future, we recommend temporary reduction in commercial pack stock use in order to reduce the current impairment of Potter Creek. {#60}*

Response: Alternative 1 addresses the elimination of commercial pack use on the Sierra National Forest. Trail maintenance activities were conducted on the Potter Creek Trail (26E35) during the summer of 2006, and as needed, trail maintenance activities that maintain trail suitability at current and anticipated levels of stock use will continue to occur based on available resources and resource impacts.

Public Comment #102: *The DEIS should specifically state under what conditions, and for which projects, the support of commercial operators has and would be utilized. It should also state that the commercial operators should not be permitted to conduct trail maintenance or wilderness management projects without adequate oversight by agency personnel. {#52}*

Response: Commercial pack stations regularly assist in trail maintenance projects by supporting agency and volunteer trail crews. In 2006, High Sierra Pack Station (HSPS) was hired by the Student Conservation Association to support a Pacific Crest Trail

maintenance project in the John Muir Wilderness (they also supported a similar project in 2005). HSPS was also hired by the High Sierra Volunteer Trail Crew to support trail maintenance efforts on the Pacific Crest Trail within the John Muir Wilderness in 2006. In previous years, HSPS has voluntarily supported High Sierra Volunteer Trail Crew trail maintenance efforts. Bishop Pack Outfitters is voluntarily supporting a Piute Tribe volunteer trail project on the Piute Canyon Trail within the John Muir Wilderness in 2006. In previous years, Clyde Pack Outfitters have voluntarily supported High Sierra Volunteer Trail Crew efforts in the John Muir Wilderness. These are just a few examples of trail maintenance efforts that likely would not have been possible without the support of commercial pack stations on the Sierra National Forest.

We agree that any entity outside the agency should not perform maintenance or wilderness management projects without agency oversight and adequate training. However since existing policies and the terms and conditions in the Special Use Permit cover this subject it is not included in the FEIS.

Public Comment #103: *The FEIS should describe the methods used to transport pack stock between winter and summer facilities and to destination trailheads. If appropriate, the FEIS should describe stock drives and their potential environmental effects on the Sierra NF. {#60}*

Response: Appropriate information regarding the transportation of stock has been added to the FEIS.

Term and Type of Permits

Public Comment #104: *The DEIS fails to disclose and analyze the rationale for the type(s) or duration(s) of permit(s) to be issued to each pack station and fails to include reasonable alternatives that vary the type or duration of Special Use Permits that would be issued to each commercial pack station. {#52}*

Public Comment #105: *The Forest Service should not issue 20 year "resort" permits for these enterprises. These are not resorts. They are "outfitter/guides" and, according to the USFS's own regulations, they should be issued outfitter/guide permits for their backcountry operations. {#1, 2, 4, 9, 12, 14, 15, 20, 21, 22, 25, 32, 35, 38, 41, 43, 44, 45, 46, 50, 52, 54, 55, 56}*

Public Comment #106: *If the Forest Service does consider issuing a resort permit to any of the pack stations, then the DEIS must present an analysis of the rationale for this approach, including a valuation of all facilities at each pack station. {#52}*

Public Comment #107: *We are concerned that specific provisions in the Forest Service Handbook intended to apply to Outfitters and Guides (FSH 2709.11) may not be included if outfitting and guiding service are authorized under a resort term permit. Clearly, if the Forest Service issues resort permits for these O/G operations and decides any time to forego the many key limits and controls described in the O/G regulations, there would exist the potential for substantial environmental consequences. Thus, the claim that potential environmental consequences do not differ significantly by type of permit is just not true. Regardless of the type of permit the Forest Service issues, given that each of the*

pack station operations in the JM/AA wildernesses clearly meet the definition of Outfitters and Guides, the issuance of permits and/or the permits themselves must incorporate all of the provisions for Outfitter/Guides contained in FSH 2709.11. {#52}

Public Comment #108: *The DEIS fails to disclose or analyze the rationale for determining the duration of each permit(s) for each pack station. None have ever been granted a 20 year permit. All Special Use Permits for Outfitter and Guiding activities in the Ansel Adams and John Muir Wildernesses should have a period of no more than five years. Only short term permits can guarantee that new information and monitoring results will be considered in a timely manner. {#52}*

Public Comment #109: *The permit length should be no more than 5* years because of the ongoing damage to wilderness resources, and the unproven management schemes proposed to address the documented harm. This will ensure a full re-evaluation of all permits after 5* years. (*Commenters suggested a range of permit length from 3 to 10 years) {#1, 2, 4, 5, 6, 9, 10, 12, 13, 14, 15, 18, 20, 21, 22, 24, 25, 26, 28, 29, 31, 32, 34, 35, 38, 39, 40, 41, 43, 44, 45, 46, 50, 55, 56}*

Response: The *Alternatives Considered but Eliminated from Detailed Study* Section (FEIS Chapter 2) has been revised for improved clarity in the FEIS regarding the type and term of the Special Use Permit. The type of Special Use Permit that will be issued is based entirely on Forest Service policy and regulations, dependant on the authorizing federal laws. The Special Use Permit is based on the facilities and services offered by the applicant and approved by the Forest Service. All the facilities and services along with appropriate management prescriptions that are contained in the Record of Decision will be translated into any new permit issued, regardless of type. Consequently, the type of permit is an administrative decision and has no bearing on the environmental consequences. It is not subject to NEPA analysis.

The term of the permit is solely dependant on Forest Service policy for the type of permit and extent of the investment by the permittee. This is also an administrative decision and not subject to NEPA analysis. Past permit terms are not pertinent to any future permits issued. Permits are issued using FS policy current at the time of issuance. The FEIS/ROD prescribes management direction and monitoring. Special Use Permits provide for adjustments in management direction in response to changing conditions and resource impacts over the life of the permit. Most of the common situations where management adaptations would occur are listed in the “Toolbox”.

Public Comment #110: *Based on FS policy any pack station permit renewals considered in the DEIS that have received an annual rating of “Probationary” may not be issued a permit for more than one year duration and any permittees that have received an annual rating of “Unacceptable” are not eligible for a renewed permit. {#52}*

Public Comment #111: *Future permits should be based on past performance. {#48}*

Response: The FEIS does not consider past performance of individual businesses in the analysis of approved facilities, services and uses. The outcomes predicted in the FEIS assume that the all the management prescriptions are followed. The applicants past performance is considered as a part of the approval process for the Special Use Permit

along with financial capability and expertise to properly and safely deliver the services permitted. Performance resolution is an administrative decision and has no bearing on the environmental consequence and is therefore not subject to the NEPA process.

Public Comment #112: *The DEIS proposes to authorize Muir Trail Ranch under a resort permit for the Florence Lake Resort (DEIS pg. 2-1). Outfitting and Guiding operations by Muir Trail Ranch, if they are to be authorized, should be authorized under a standard O/G permit, with a maximum period of five years, and thus be subject to all of the O/G regulations (FSH 2709.11). The Florence Lake Resort should be authorized under a separate permit. In any case these are separate operations, such that the permits should not be combined in case either operation is sold separately. {#52}*

Response: The DEIS discloses the intent of the Forest Service to issue one permit which includes Florence Lake Resort and Muir Trail Ranch operations on National Forest System lands. (Muir Trail Ranch is on private land so the facilities do not require a permit). The DEIS does not indicate the type of permit that would be issued, as this decision is administrative (see response to #104-109). Issuing one permit to a single entity is consistent with FS policy and in this case Muir Trail Ranch and the Florence Lake Resort are owned by the same business. The configuration of the permit is not pertinent to the analysis since all the related facilities and activities are disclosed and evaluated in the EIS.

III. Affected Environment & Environmental Consequences

General

Public Comment #113: *The DEIS is deficient in its characterization of the environmental impact of Alternative 1, which would not authorize commercial pack stock services or facilities. We in no way endorse Alternative 1, but, we wish to point out this pattern in the DEIS of an inaccurate and biased analysis of this key “baseline” alternative. {#52} For example:*

“Overall there would be slightly less impacts to aquatic species and their habitats from this [Alt. 1] than in Alternative 2 or 3. (DEIS pg. 3-6)

“There would be no new direct effects to sensitive plants or their habitat. Noxious weeds and invasive non-native plants would continue to be introduced as a result of general recreation. (DEIS pg. 3-27)

“Noxious weed and invasive non-native plants would continue to be introduced at a similar rate to the present situation.” (DEIS pg. 3-30)

Because of the relatively low percentage of visitor who enter the Kaiser Wilderness using commercial stock (5%), there would be very few cumulative effects on wilderness character related to the removal of commercial pack stock from the Kaiser Wilderness. (DEIS pg. 3-176)

Elsewhere in the DEIS the Forest Service even states: “Abandonment of the daily use of trails by commercial pack stock will greatly diminish ongoing impacts to some of the heritage resource sites located along their trail system. (DEIS pg. 3-72)

Response: The determinations follow the guidelines and definitions established by the Pacific Southwest Region of the Forest Service and are limited to only a few very specific terms. For example a determination of "No Effect" is usually appropriate if the project is not located in (or does not affect) suitable or critical habitat and if disturbance or other direct or indirect impacts to the species are not an issue. A "Beneficial Effect" is considered a "May Affect, Not Likely to Adversely Affect" determination and the benefit should be clear and outstanding in nature (e.g. stream restoration targeted to restore trout spawning areas would be a "Beneficial Effect" determination). Therefore for Alternative 1 though removing pack stock from the existing environment for the aquatic species will have fewer impacts than the other two alternatives, it does not warrant the official determination of "Beneficial Effect".

In the FEIS, a more in depth analysis of the environmental consequences of Alternative 1 on heritage resources has been developed. This analysis is described in an overview, as well as on a specific analysis unit by analysis unit level. These sections include a detailed discussion of the abandonment of the daily use of trails by commercial pack stock on heritage resources.

The FEIS contains an improved description of the effects of all alternatives, including Alternative 1, please see the methodology and environmental consequences sections for aquatics, vegetation, wilderness and heritage resources.

However, the fact remains that the three alternatives do not differ significantly for sensitive plants or noxious weeds. The IDT conducted extensive field surveys of pack station facilities, trails, grazing areas, and destination areas, and found few adverse effects attributable solely to commercial pack station operations. In the case where problems were identified (e.g. the fen at Glen Meadow in DFC AU, invasive non-native plants at various facilities), specific measures have been included in the permits to address the problems. Thus, this NEPA analysis and the resulting improvements in resource protection reduce the differences in effects between the no action and the action alternatives.

The determinations for threatened, endangered, and sensitive species follow the guidelines and definitions established by the Pacific Southwest Region of the Forest Service and are limited to only a few very specific terms. For example a determination of "No Effect" is usually appropriate if the project is not located in (or does not affect) suitable or critical habitat and if disturbance or other direct or indirect impacts to the species are not an issue. A "Beneficial Effect" is considered a "May Affect, Not Likely to Adversely Affect" determination and the benefit should be clear and outstanding in

nature (e.g. stream restoration targeted to restore trout spawning areas would be a "Beneficial Effect" determination for aquatic species). Therefore for Alternative 1 though removing pack stock from the existing environment for the aquatic species will have fewer impacts than the other two alternatives, it does not warrant the official determination of "Beneficial Effect".

Public Comment #114: *The DEIS also fails to accurately interpret existing management direction in the 2001 Wilderness Plan, and thereby mis-characterizes the impacts of Alternative 1 (DEIS pg. 3-166):*

“Review of campsites within the DIL AU found slightly more than half of the sites located too close to water. Under this alternative, these campsites would remain out of compliance unless another project takes action to relocate or remove them”

The DEIS then implies that addressing this situation would uniquely occur under Alternative 2 (DEIS pg. 3-166) {#52}

“The campsites located too close to water would be relocated under the proposed action in order to comply with wilderness standards”

Response: The comment correctly points out an error. It is true that Alternative 2 does not bring campsites located too close to water into compliance. The regulations for camping 100 feet from water were set under the 2001 Wilderness Plan and would be consistently applied for all wilderness users and campsites regardless of users. This error has been corrected throughout the FEIS.

Public Comment #115: *The differences in type and magnitude of impacts caused by recreational pack stock compared to other uses must be honestly disclosed and analyzed in the DEIS. The DEIS fails to adequately acknowledge the disproportionate amount of resource impacts caused by stock-supported visitors, compared to non-stock-supported visitors and that from a resource “carrying capacity” perspective, use allocations for non-stock-supported visitors could be substantially increased if commercial pack stock use were limited to the extent truly necessary. {#52}*

Response: Trailhead quotas on the Sierra National Forest rarely are filled, and those wishing to visit the wilderness are rarely turned away. Consequently the premise that commercial stock use in some way is preventing the non-commercial public (both hikers and stock users) from access to the wildernesses in the planning area is erroneous. There is no inherent need to increase the quotas available to the general public. The Needs Assessments for each of the wilderness areas has assessed the “extent necessary” and both of the action alternatives have use allocations that meet the need for commercial pack stock opportunities. The FS believes it has reached the proper balance between commercial and non-commercial uses appropriate to maintaining the wilderness character. Furthermore, trailhead quotas are in place to protect outstanding opportunities for solitude, amongst other qualities of wilderness character. The protection of physical and biological resources is not the sole purpose of trailhead quotas. Any change to

quotas would require a reassessment of our ability to provide outstanding opportunities for solitude, which is independent of the type of user. This assessment was previously made in the 2001 Wilderness Plan.

Public Comment #116: *The DEIS must make a reasonable attempt to quantify the impacts associated with levels of commercial pack stock use. If a very conservative assumption were made that one stock animal has a minimum of 3 times the impact to the environment as one backpacker, then each stock-supported client would have 4.8 times the impact as a single backpacker. {#8, 52}*

Response: The environmental effects of each alternative are based on actual impacts observed by the IDT and/or appropriate resource specialists based on current use and the proposed allocations. To propose some arbitrary constant proportion that stock have more effect than non-stock users, and then extrapolate impacts from that would be misleading and inexact. There is a high degree of variability in impacts from stock depending on the type of trip (spot/dunnage vs. all expense), whether or not the stock graze, the resilience of the trails and campsites, etc.

Public Comment #117: *The DEIS should also identify where deficiencies exist in historical records and acknowledge when information presented is anecdotal or speculative, both to disclose the uncertainty in the analysis and to identify the information that the agency should collect in the future to assist in determining management direction. {#52}*

Response: We believe the FEIS accurately includes appropriate data, and its basis, that is necessary for the analysis and decision. The monitoring plan included in the ROD displays the information that will be gathered in the future to ensure management direction adaptations are in sync with the desired conditions.

Public Comment #118: *Several pack station facilities list infrastructure that uses hazardous materials (i.e. generators, propane tanks, above ground storage tanks for diesel and/or gasoline storage etc.) There are several federal, state, and local laws and regulations that govern use, storage, and disposal of hazardous materials. The DEIS must analyze and disclose impacts associated with the use of hazardous materials at the permitted facilities. {#52}*

Response: The DEIS lists all the proposed permitted facilities in Appendix B. All permit holders on National Forest System lands are required to follow all applicable Federal, State, and local regulations regarding storage and use of hazardous materials as required by the SUP (see Appendix E, sections XIII.H and IV.E). Inspection and enforcement of these laws is generally done by the appropriate County or State regulating agency. Inspection of all the pack station facilities on the Sierra National Forest did not uncover any problems that required a specific action to correct a deficiency.

Public Comment #119: *The DEIS must disclose and analyze impacts associated with the size and location of the permitted area for each pack station. {#52}*

Response: The size and location of each facility is displayed in Appendix B (DEIS pg. B-1) and the location is shown on the included maps. The IDT visited each facility and the management prescriptions needed to correct resource issues are listed in Chapter 2, Alternative 2 for each pack station under the heading “Proposed New Service, Facility, or Environmental Protection Measures”. There are no differences in these management prescriptions in Alternative 3 as they are considered necessary to meet current standards. The environmental consequences of the facilities are displayed in Chapter 3 within the appropriate AU for each resource.

Public Comment #120: *Stock are incredibly destructive. Because they have significant effects on destroyed trails, dust, compacted meadows, huge campsites, excessive manure, and flies. (note: This comment typifies similar comments made in numerous letters expressing an opinion about the resource and social impacts of stock use) {#3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 36, 38, 39, 50, 55, 56, 57}*

Public Comment #121: *The DEIS fails to reduce negative impacts to the wilderness from excessive stock usage. Commercial stock usage is already excessive. {#54}*

Public Comment #122: *The noise is entirely inconsistent with a wilderness experience. I've spent nights lying awake, listening to the cowbells that the outfitters tied to their pack animals while they grazed. {#11}*

Response: The EIS analyzes the effects of commercial pack stock on wildlife, hydrology (including water quality, soil quality, and stream geomorphology), air quality, vegetation (including meadows, rare plants and weeds), heritage resources, recreation resources, wilderness, and trails in Chapter 3. The analysis discusses negative, neutral, and positive resource effects.

Public Comment #123: *We recommend consolidating the affected environment data for each analysis unit into one comparative table. The FEIS should highlight the significant resource issues and critical habitat locations for the seven species of concern. The summary of aquatic species effects should be rigorous, providing a clear description and evaluation of the combined unit-specific meadows occupied by Yosemite toads approved for pack stock grazing and the potential effect of this use on Yosemite toad population viability. We recommend providing a detailed list of proposed management actions and mitigation measures to avoid and minimize effects to these sensitive aquatic species. {#60}*

Response: The affected environment section for aquatic species now includes a summary table. Management actions and mitigation measures have already been incorporated into the project design and monitoring plans for the two action alternatives for aquatic species.

Cumulative Effects

Public Comment #124: *Historical or existing impacts to the planning area from other actions can be no excuse for permitting adverse impacts from commercial pack stock use. {#52}*

Response: The EIS analyses the overall impacts of pack stock operations on the Sierra National Forest as they will occur under the different alternatives. There is no justification based on other cumulative impacts. The EIS discloses activities past, present and in the foreseeable future actions and activities that cumulate to have effects on the landscape, especially within the Wildernesses. It compares the effects of the alternatives to other activities to provide a complete picture of the scale of pack stock operations to other activities such as cattle grazing. The FEIS has been revised to clarify these points

Public Comment #125: *The 2005 Pack Stock Management EIS failed to adequately analyze and disclose the site-specific or cumulative impact of the various alternatives. This current DEIS must therefore carefully analyze and disclose the direct, indirect and cumulative effects of issuing permits for commercial pack stock operations. At minimum, the DEIS must evaluate and specify limits and controls necessary to protect natural resource and the wilderness character. {#52}*

Response: The 2005 Pack Stock Management EIS provides a detailed and comprehensive treatment on the impacts of the selected management direction on the resources within the Ansel Adams and John Muir Wildernesses. This permit issuance EIS does not re-analyze the decisions made in the 2005 Pack Stock Management EIS.

The DEIS displayed the direct, indirect and cumulative effects for each resource in Chapter 3 for each alternative. However, the sections for direct, indirect and especially cumulative impacts have been improved for clarity and consistency in the FEIS.

The action alternatives, 2 and 3, specify adequate limits and controls to protect the environment and wilderness character.

Recreation

Public Comment #126: *The DEIS continues the profligate use of the supposition that commercial pack stock operators have an incentive to be, and are, good stewards of the planning area and provide valuable educational opportunities for the public. {#52}*

“Packers have insisted that they have taken care of the National Forest lands because the natural state of the mountain environment is necessary to running a successful business besides being an intrinsic personal value” (DEIS pg. 3-87)

Response: The statement as quoted is true as it is attributed to packers not the FS.

Public Comment #127: *The DEIS improperly relies on wholly unsupported claims by the commercial outfits that they spread the minimum-impact message. The available evidence indicates that the commercial packers do not provide effective low-impact education to their client or to others. {#52}*

Response: The FEIS has been revised to clarify that there is an opportunity for commercial operators to impart environmental and educational messages to their clients, as well as a wealth of local geography, history, lore and camping skills. The FS does not

rely on claims of past performance in the area of education, but rather points out the opportunities that are available in the future.

Public Comment #128: *The DEIS is deficient both because it fails to acknowledge that Leave No Trace practices and minimum impact tools exist, and it fails to disclose that packers do not follow them. {#52}*

Response: We do not agree that the EIS fails to acknowledge that Leave No Trace and minimum impact tools exist. Minimum impact and Leave No Trace guidelines are specified in annual operating plans which become a part of the permit. The FS believes the vast majority of unsupervised (spot and dunnage) clients abide by rules, regulations and the Leave No Trace messages that the pack stations convey. As with any unsupervised user group, there will be people who violate, knowingly or unknowingly, regulations. This analysis cannot assume non-compliance with proposed management direction. One of the pack station owners is a Leave No Trace Master, and participated in the production of a training video developed by the Multi-Agency Wilderness Education Project to train packers and their employees regarding minimum impact techniques. The training video has been widely distributed amongst pack station operators in the central Sierra Nevada National Forests and Parks.

Public Comment #129: *While we acknowledge the role and value of commercial pack stock enterprises in providing services to their clients, evidence of bias and use of improper standards in the preparation of the DEIS is evident in the following statement (at 3-112):*

“The commercial pack stations provide a link to our past. Their removal would eliminate the traditional and historic context of pack stock in the backcountry and wilderness areas of this portion of the Sierra Nevada. As the population continues to urbanize this important connection to our historical western roots would be lost.”

There is no mandate for the Forest Service to solicit commercial operators for the purpose of providing “a link to our past.” This statement also fails to acknowledge that even in the absence of commercial pack stock operations, private stock would be able to continue such historical uses. {#52}

Response: This section of the DEIS dealing with the consequences to the recreational opportunities and experiences has been revised in the FEIS. The revision recognizes the contribution by private stock users. However, the statement quoted in the comment is still substantially valid and has been retained. This consequence is presented as an “Indirect Effect” of Alternative 1 which would remove the pack stations. It discloses a cultural loss that will have indirect effects as a consequence of Alternative 1. There is no suggestion that the Forest Service is “soliciting” commercial operators for the purpose of historical continuity, it is merely a byproduct (indirect effect) of Alternative 1. This outcome is one of many pieces of information that inform decision makers about the consequences of this alternative.

Wilderness

Public Comment #130: *This DEIS must include an adequate analysis of site-specific measures to address resource and user conflict concerns associated with operations at Muir Trail Ranch before any permit is issued. {#52}*

Response: Muir Trail Ranch is a private inholding within the John Muir Wilderness. The Forest Service cannot dictate to private land owners how they manage their land. The portions of the operation that occur on National Forest System lands from the Muir Trail Ranch were thoroughly analyzed in the 2005 Pack Stock Management EIS and the applicable management direction has been incorporated into this EIS (EIS Appendix C).

Operations

Public Comment #131: *Where use data is presented, the DEIS relies on biased, selective presentation of levels of commercial pack stock use by reporting use on the basis of proportions of overall use measured in people or trips. This selective approach of presenting use data biases the DEIS in that it fails to acknowledge that the number of clients or trips service by commercial pack stock is not the most effective metric for assessing impacts from use levels. The number of stock animals used to support clients and trips would be far more revealing and meaningful indicator. It is the stock, not the clients, that graze meadows, defecate on trails, campsites and in water bodies, attract flies and parasitic cowbirds, expose tree roots through pawing, weigh over 1,000 pounds, wear steel-shod shoes, graze all night with noisy bells, and grind trails into a fine powder that is readily eroded. {#52}*

Response: When comparing the amount of use between the general public and the clients of the pack stations the only common denominator is the number of people, trips and/or permits. In the Kaiser and Dinkey Lakes Wildernesses the majority of packing services are spot and dunnage trips where the pack stations drop the clients and their gear off at a campsite and may or may not return to pick them up. Since the stock does not remain in the wilderness, the impact to the campsite is not demonstrably more than a non-stock group. The DEIS acknowledges the slight difference in the Wilderness section of Chapter 3 (pg. 3-173 to 185) between the removal of all commercial stock (Alternative 1) and the presence of stock under different management prescriptions (Alternatives 2 and 3).

Public Comment #132: *The DEIS does not acknowledge that many people use commercial pack stock services in order to obtain a permit. {#52}*

Response: There is no evidence that this practice occurs to any extent on the Sierra National Forest. In addition, under the 2001 Wilderness Plan, pack stations on the westside of the Sierra Nevada do not have any significant quota advantage over the general public. Public quotas rarely fill up so there is no incentive to use a pack station in order to get a wilderness permit.

Public Comment #133: *The DEIS must present and analyze all relevant historical information including:*

- *Number of stock both authorized and utilized by each permittee each season over the past 25 years*
- *Any violations of the permit or operating plan terms or conditions for each permittee over the past 25 years*
- *Permitted area of each pack station facility*
- *The number of wilderness and non-wilderness day rides provided by each pack station annually {#52}*

Response: Recent use figures for both overnight and day use have been expanded in the FEIS. The number of violations in the past is outside the scope of this analysis. The FEIS cannot presume that non-compliance with the terms and conditions of the permit will occur. The permitted area for each pack station facility is listed in Appendix B.

Public Comment #134: *The DEIS improperly fails to disclose and analyze the impacts associated with the number of stock animals actually utilized compared to was “authorized” over the term of the existing or previous long term permit. {#52}*

Public Comment #135: *The DEIS is deficient because it fails to disclose the extent to which the actual number of commercial stock animals used by each outfit would increase under the proposal. In fact the number of stock animals would increase substantially, the DEIS fails to disclose the growth impacts {#1, 2, 7, 9, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 24, 25, 27, 29, 32, 35, 36, 38, 41, 43, 45, 46}*

Response: The maximum number of stock allowed for each permit is listed in Alternative 2 and 3. A table has been added to the FEIS that summarizes, for easier comparison, the proposed number of stock in each of the alternatives. In addition to total number of stock, the “Stock-at-one-Time” limits for the Ansel Adams/John Muir, Dinkey Lakes, and Kaiser Wildernesses are also displayed.

Public Comment #135: *As a part of this analysis, the Forest Service should present and analyze historical data concerning compliance by permittees and any enforcement actions that resulted from non-compliance. {#52}*

Response: Past permit compliance is not relative to the NEPA analysis. The management prescriptions assume compliance. Past performance of an individual applicant is considered at the time the SUP is issued (see also Public Comment #111)

Public Comment #136: *The DEIS lacks a full disclosure and comparison of the proposed commercial pack station use allocations in each of the alternatives. {#52}*

Response: A table has been added to the FEIS that summarizes, for easier comparison, the proposed use allocations for each alternative. Chapter 3 analyses in detail the consequences of each of the proposed alternatives.

Public Comment #137: *The DEIS must present all available data on historical, current, and proposed herd sizes in an impartial manner for comparison. Without such disclosure and analysis, the decision-makers and the public cannot possibly comprehend how the*

proposals relate to past use, or understand how the various alternatives will impact the wilderness character. {#52}

Response: A table displaying a relevant comparison of the maximum permitted stock has been added to the FEIS.

Public Comment #138: *The Forest Service has never effectively monitored pack station herd sizes. That monitoring of herd size apparently has not occurred is especially egregious, given that it has been a component of each pack station's Annual Operating Plan and/or Special Use Permit for decades. {#52}*

Response: Until 2001 the maximum number of permitted stock (herd size) has not been a required element in pack station permits on the Sierra National Forest. Consequently the inclusion, application and monitoring has been up to the local Authorizing Officer as needed to manage the use and deal with local issues. Some of the permits under study in this EIS did not have maximum permitted stock limits prior to 2001 (e.g. Yosemite Trails Pack Station). After 2001 the Sierra and Inyo National Forests standardized AOPs to include the maximum permitted stock. At this time the pack stations were brought into the daily trailhead quota system and limited service days were allocated per the 2001 Wilderness Plan. (Service days were subsequently modified by a court ordered injunctive relief.) Even though maximum stock limits were listed there was generally no need to closely monitor and record the number of head of stock at the pack stations with all of the other more restrictive limitations imposed by the 2001 Wilderness Plan, unless there was some specific issue generated by the total number of stock. In general on the Sierra National Forest there has been no compelling reason to closely monitor the number of stock located at a pack station.

Economics

Public Comment #139: *In the DEIS the FS discussed the economic ramifications of the proposed action for the permittees, but makes no attempt to analyze the costs the FS, and thereby to the general public, of permit administration, wilderness and non-wilderness management and monitoring, environmental planning, and trail maintenance that are attributable to commercial pack stock use. {#52}*

Response: The FS is a public service agency and the funding received from Congress assumes that appropriate services and activities will be permitted and administered on National Forest System lands. It is not appropriate to deny a permitted activity, which otherwise meets the purposes of the National Forests, because the agency did not believe it would have enough funding to administer the permit. Permit holders on National Forest System lands pay cost recovery fees for the processing and monitoring of their SUPs and land use fees. These payments are deemed appropriate compensation for the services provided by the U.S. Government and the use of National Forest System lands. As a trustee of public lands, wilderness and trail management costs are the responsibility of the Forest Service.

Public Comment #140: *The DEIS fails to disclose and analyze the implications for fee collections based on the type(s) of permit(s) to be issued. {#52}*

Response: The fees collected by the U.S. Government for each type of permit are by policy, regulation and law deemed adequate reimbursement to the people of the United States of America for the activities permitted on National Forest System lands. As previously stated, the type of permit is an administrative decision driven entirely by criteria set by national policy, not subject to NEPA analysis, and most certainly the type of permit is not driven by the fees that might be collected.

Trails

Public Comment #141: *It is well known that trails used by pack stock require substantially more trail maintenance and a substantially higher level of construction than trails not used by stock. {#52}*

Response: The DEIS acknowledges and describes the impact of stock on the trails.

Public Comment #142: *The trail to Half-Moon Lake, coming in from Wishon Reservoir has many swampy sections that make early season use by packers particularly hard on that trail. It would be sensible to make packers wait until later in the season when the ground dries out. {#44}*

Response: The trail to Half-Moon Lake is within the John Muir Wilderness, and not within the scope of this analysis. Commercial stock use on trails within the John Muir Wilderness is addressed in the 2005 Commercial Stock EIS.

Heritage

Public Comment #143: *The DEIS does not adequately give proper historical significance to the Pack Station facilities, their contributions to the Forests should be recognized. The facilities and their associated features are an integral part of recreation districts, and provide a valuable service to the public. {#37}*

Response: Additional historical information was added to the FEIS. It is recognized that there is a long and rich packing history that is closely tied to hydroelectric power development and recreation on the Sierra National Forest. The pack station buildings and facilities are currently being evaluated for historical significance and additional work will be done in 2007.

Watershed

Public Comment #144: *The DEIS is deficient in its analysis and disclosure of water quality impacts. The DEIS fails to disclose significant, adverse impact to water quality, and fails to specify limits, controls, and/or mitigation measures that would avoid significant effects. The DEIS does not comply with the NEPA because: (1) it fails to disclose the documented impacts of backcountry pack stock use on water quality; and (2)*

it fails to honestly and adequately disclose the documented impact of the pack station facilities on water quality. And the DEIS does not comply with the Wilderness Act because it fails to evaluate and specify measures to avoid impairment of the wilderness character resulting from water pollution caused by these enterprises. {#52}

Response: Those sections dealing with water quality have been updated in the FEIS in response to public comments. Impacts to water quality are discussed throughout the Environmental Consequences to Watershed Resources sections. Controls to limit impacts to water quality are included in Alternatives 2 and 3 (Chapter 2), and displayed in Table 3.38. They include environmental protection measures for Clyde Pack Outfitters, D&F Pack Station, High Sierra Pack Station, Minarets Pack Station, and Yosemite Trails Pack Station, all of which would either remedy problems identified in this analysis or ensure that new facilities would comply with BMPs and minimize impacts to resources.

The documented impacts of the pack station facilities referred to in this comment are site-specific in nature. The site conditions cited in this comment are not located within the analysis area of this EIS. Site-specific evaluations of the facilities covered in this EIS identified only two facilities with water quality concerns due to proximity of animals and manure to water, and these are addressed in Alternatives 2 and 3, as cited above. Additional protection would result from the designation of stock camp sites in Alternative 3, all of which would meet BMPs.

The water quality analysis concluded that the impacts resulting from the proposed activities are generally minor.

The FEIS evaluates the effects of each alternative to wilderness character. The effects of water quality to wilderness character are discussed under the Direct and Indirect Effects to the Natural Quality of Wilderness Character for both the Dinkey Lakes and Kaiser Wildernesses. The effects of each alternative are disclosed.

Public Comment #145: *Studies have shown that the discharge of waste from packstock enterprises presents a significant human health concern. The DEIS is deficient because it fails to evaluate and disclose impacts and potential impacts due to the discharge of pathogens from livestock wastes, both at the base facilities (pack stations) and also throughout the wilderness areas where they operate. Information presented in the article “Coliform Bacteria in Sierra Nevada Wilderness Lakes and Streams: What is the Impact of Backpackers, Pack Animals, and Cattle” (Derlet and Carlson, 2006) must be fully evaluated and disclosed in your EIS. This report documents that packstock enterprises throughout the Sierra Nevada are polluting water with pathogens and creating a human health hazard. {#52}*

Response: A more comprehensive discussion of this topic has been added to the FEIS.

The relevant information from the referenced studies was considered in the analysis. Derlet states in this interview that “Livestock pollute the environment with unsafe levels” of bacteria. However, it is difficult to interpret the data published in his study in relation to the water quality objectives established by the Central Valley Regional Water Quality

Control Board based on single samples. The cited article, which states that “12 of 15 water bodies frequented by pack animals, and all 15 where cattle graze, had unsafe levels” clearly implies that any detection is unsafe. This is inconsistent with the water quality objectives that apply in the project area, and which were used in determining significance of the potential effect for this analysis. This analysis is presented in section 3.2.1 of the FEIS.

Public Comment #146: *The DEIS is deficient because it fails to specify BMPs that would prevent controllable discharges from backcountry pack stock operations or from the pack station facilities. The DEIS requires no new concrete actions to prevent these discharges, and requires no real water quality monitoring above/below these activities or facilities. For example the DEIS states (at 3-157): {#52}*

“Trails used regularly by the permittee were assessed. System trail condition ranged from good to fair (ratings of 1 and 2), with some trails (e.g. Norris Lake trail) in need of heavy maintenance, repair, and possibly relocation (Hopson, 2004a). Degraded and eroding stream crossings, overstep and eroding trails, poor trail location and a lack or disrepair of water control structures (waterbars) were common reason for water quality concerns.”

Several cabins, a water system, toilet facilities, corrals, road, and ten cabins were observed at the [Minarets Pack Station] base camp. The main issue from a hydrology perspective was one stock corral that spans Miller Creek, resulting in sediment and manure entering the stream during runoff events. Sediment and manure may be impairing the water quality and beneficial uses of Miller Creek.

Despite these impacts to water quality identified in the DEIS, there are no mitigation measure or BMP's required to address them.

Response: BMPs were specified in the DEIS. To clarify the BMPs, Table 3.31 has been added to the FEIS. Table 3.38 displays the water quality impacts due to facilities and campsites that were identified by the IDT, and Table 3.35 displays actions that would be taken under Alternatives 2 and 3 to improve BMPs at these locations.

The first example cited in the comment notes a need for trail maintenance and possibly trail relocation / reconstruction. Trail maintenance levels and BMPs are already established for these trails, with the exception of trails in the Dinkey Lakes Wilderness, where trail maintenance levels are part of the decision to be made from this analysis. Since trail maintenance is governed by trail maintenance levels, there is no need to include specific trail maintenance actions in these action alternatives – they will be implemented even under the No Action Alternative, as the Forest is able to plan and fund the work through the Trails, Watershed, or other programs. In addition, these trails are used by many types of users and the conditions reported are general in nature and not directly attributable to this action. Both the Trails (section 3.1.3) and the Watershed (section 3.2.1) sections in Chapter 3 conclude that in most areas, pack stock use is not the primary contributor to trail erosion and stream sedimentation.

The second example cited in your comment refers to the corral located at Miller Creek. The action alternatives require this corral to be relocated so that existing water quality

impacts are not continued (FEIS Chapter 2, and Table 3.38. This corral will be removed (Alt 1) or relocated (Alts 2 and 3) so the problem is abated under any of the Alternatives.

Public Comment #147: *The DEIS is deficient because it fails to evaluate all affected areas for water quality impacts. For example there were no assessments done in the CHQ, HNW, COO, HEL analysis units. {#52}*

Response: These analysis units are areas where, for various reasons, it was deemed not necessary to collect new data for this analysis. The rationale for this has been more clearly explained in each of these AU sections in 3.2.1 of the FEIS, and the risk associated with the data gap is described. More of the existing information is presented to describe the affected environment, and some site-specific environmental consequences have been added to these AUs based on this information. In addition, the Background and Environmental Consequences Overview of section 3.2.1 describe the anticipated effects within each of the Analysis Units, including these.

Public Comment #148: *The DEIS is deficient because its analysis of Alternative 1 (No Action) fails to objectively portray the water quality improvements that would result if these commercial activities were eliminated. For example, the DEIS totally fails to acknowledge concerns regarding pathogens. And while it acknowledges that stock animals trample, detach, and loosen soil, making it more prone to erosion, it fails to connect the dots and to properly conclude that if stock use was eliminated, soil erosion and sedimentation of receiving waters would be significantly less throughout the area. {#52}*

Response: The DEIS contained a brief discussion of pathogens in the General Discussion of Environmental Consequences (DEIS p. 3-148-149). In the Effects Common to All Analysis Units (DEIS p. 3-150, 3-152-154), and in the Analysis Units where site-specific elements of the Proposed Action have bearing on water quality issues (DEIS p. 3-157-158, 3-161, 3-162, 3-166, 3-170), references to water quality impacts were intended to tie back to the General Discussion. The document was structured this way to avoid repetition of the description of similar water quality impacts in each of the Analysis Units.

The discussion of pathogens and sedimentation has been broadened in the FEIS in response to public comment (see section 3.2.1., Background). The reader should refer to the Background and the Environmental Consequences Overview for the full description of water quality impacts that applies to each Analysis Unit. The Analysis Unit discussions highlight specific areas where impacts occur, and where specific actions to remedy impacts would occur.

Public Comment #149: *Monitoring (i.e., upstream and downstream bacteria monitoring) needs to be conducted at all of the pack station facilities during snowmelt and summer thunderstorms when surface runoff is occurring, to see if the USFS's*

management measures are working, and to document whether the measures are adequate to meet water quality standards. {#52}

Response: A Management Agency Agreement between the Forest Service and the State Water Quality Control Board (SWQCB) designates the Forest Service as the Water Quality Management Agency for National Forest System lands (NFS) in California. This agreement waives discharge requirements for nonpoint source discharges (such as unconfined pack stock) on NFS lands, provided that BMPs are implemented. BMPs are monitored and performance is reviewed annually by the SWQCB. BMP implementation and effectiveness monitoring is the accepted means of demonstrating to the SWQCB whether water quality objectives are being met.

The established BMP monitoring protocols that apply to these types of commercial pack station uses include R22: Developed Recreation Sites, and R23: Location of Stock Facilities in Wilderness. These are the evaluations that were conducted at facilities and campsites for this analysis (section 3.2.1).

A representative from the Central Valley Regional Water Quality Control Board visited several facilities with the IDT and did not recommend fecal coliform monitoring. The BMP improvements identified as Environmental Protection Measures in Chapter 2 and listed in Table 3.38 are designed to remedy all known impacts to water quality resulting from pack station facilities on the Sierra NF.

Wildlife

Public Comment #150: *The DEIS does not disclose or analyze the role of pack station operations in the proliferations of the brown-headed cowbird. The status quo that is facilitating the proliferation of the cowbird must not continue. The DEIS must disclose and analyze this issue and include reasonable specific actions and requirements to avoid feeding opportunities for brown-headed cowbirds at all pack stations, corrals, and pastures, and to avoid or reduce to insignificance all of its impacts to native wildlife. {#52}*

Response: The discussion on cowbirds is addressed in detail in the biological evaluation and has been brought forward into the FEIS.

Pubic Comment #151: *Pack animals also scare off wildlife, thereby detracting from the possibility of seeing native fauna while traveling through national parks and forests. {#11}*

Response: In the Biological Assessment/Biological Evaluation it is noted there will be a short term noise disturbance to wildlife but it is assumed they will return to the area (Knight and Gutzwiller 1995) once the pack animals and riders have moved through an area.

Botany

Public Comment #152: *The DEIS should disclose and analyze the impact associated with the use of feed at pack stations. {#52}*

Public Comment #153: *The DEIS fails to specify limits, controls, and/or mitigations measures that will effectively control the spread of weeds and plant pathogens by commercial pack stock enterprises, and understates the effect of commercial pack stock use on the introducing and spread of exotic weeds and pathogens. {#52}*

Response:

Thorough botanical surveys for this project revealed few invasive weeds in areas used by pack station permittees, and both action alternatives require removal of weeds that are clearly attributable to the pack station's operations. The wilderness areas of the Sierra are also nearly free of non-native plants (see FEIS and botany field reports in the project record). The mechanism for ensuring that feed does not introduced weeds to the Forest will be part of the weed management plan that is required under both action alternatives. At this point, feed does not appear to have been a major vector for Sierra NF weed infestations, but the potential exists, and will be addressed in the weed plans.

In the Sierra Nevada Forest Plan Amendment (USDA 2004) standards and guidelines were adopted to manage invasive weeds using an integrated weed management approach with the goals of preventing the introduction of new invaders, conducting early treatment of new infestations, and containing and controlling established infestations. These standards and guidelines include encouraging use of certified weed free hay and straw, phasing in a requirement to use certified weed free products as they become available, assuring weed prevention measures are included when amending pack stock operator permits, completing noxious weed inventories, and monitoring known weed infestations. The effort to develop a certification process for weed-free hay and straw is being conducted at the regional/state level. There is an MOU among the agencies involved in this effort that includes the provision to “move together in a coordinated manner to implement such policies or regulations” (Clines, 2005). In compliance with this MOU, certified weed free forage will not be required at the pack stations until the program is in place state-wide.

The FEIS contains improvements with regard to Comment #153: under the two action alternatives, each permittee would be required to have a noxious weed plan, addressing prevention and control of weeds.

During field surveys for this project there was no evidence of pathogens that threaten vegetation resulting from commercial pack station activities. The primary concern in recent years has been whether Sudden Oak Death (*Phytophthora ramorum*) might appear in the Sierra Nevada (for more information see the website of the California Oak Mortality Task Force at <http://nature.berkeley.edu/comtf/>) To date, there have not been confirmed cases of SOD in Sierra Nevada counties, and the risk of the spread of SOD to the Sierra Nevada is thought to be low, for example see the map at:

(http://kellylab.berkeley.edu/SODmonitoring/maps/JPEG/state_risk_05a_avg.jpg)

Should this change, the Forest Service would require whatever measures necessary of permittees to prevent the spread of this pathogen into the Forest (e.g. prohibiting firewood from coastal counties where SOD is prevalent, requiring cleaning of vehicles or heavy equipment that may have soil from coastal areas, etc.)

Grazing

Public Comment #154: *The 2005 Pack Stock Management EIS and this DEIS both fail to acknowledge the required mitigations for grazing in Jackass Meadow outlined in the 1996 Environmental Analysis, Decision Notice and Finding of No Significant Impact for Permit Issuance to High Sierra Pack Station. Despite concerns about the condition of this meadow, the lack of data on recent usage, nor even a demonstrated need for increasing the allocation, allocated stock nights were increased from 400 to 2025. This DEIS must discuss and evaluate the implementations of existing mitigations and their effectiveness, existing use levels, identify further action to address the resource concerns identified for Jackass Meadow, and develop reasonable grazing allocations based on sound analysis and applicable regulations, standard, and laws. {#52}*

Response: Updated management prescriptions and the analysis of their effects were presented in the 2005 Pack Stock Management EIS. Since that document amends the Sierra National Forest Land and Resource Management Plan it is higher order direction and supercedes the previous 1996 Environmental Analysis.

Public Comment #155: *The proposed actions in the DEIS related to allocating grazing appear to be based on incomplete or inaccurate data. {#52}*

Response: The IDT visited essentially all of the meadows and pastures requested for grazing. Prescriptions are based on “on-the-ground” analysis.

Public Comment #156: *The DEIS (DEIS pg. 3-43) indicates that grazing is to be permitted in locations in wilderness where it has not occurred recently. Permitting grazing in areas that have not been used recently should not be permitted unless it can be demonstrated that such action will not impact natural resources or wilderness character. {#52}*

Response: Of areas within the Kaiser and Dinkey Lakes Wildernesses that were requested only one meadow (NE of Nellie Lake) was considered suitable for commercial pack stock grazing. This meadow is also grazed by cattle under permit. The prescriptions identified protect the resources and wilderness character. The FEIS has been revised to clarify this point.

Public Comment #157: *The DEIS (at pg. 3-43), in discussing the effects of Alternative 1 states “possible beneficial effects from grazing would not occur under this alternative.” The “possible beneficial effects from grazing” are not described anywhere in the DEIS*

and we are not aware of any potential benefit from grazing by commercial pack stock in the planning area. Unless the Forest Service can document and substantiate beneficial effects from grazing the DEIS should not assume that they exist. {#52}

Response: This statement was in error and has been removed.

Public Comment #158: *Wet meadows are not a suitable environment for stock. {#3}*

Response: The IDT addressed wet meadows within the analysis units while conducting grazing suitability assessments. The wet portions of meadows were not considered suitable for pack stock grazing and were excluded from the production and stock night calculations. The IDT concurred that stock impacts to the wet portions of meadows are not acceptable.

Public Comment #159: *Pack animals are not native to the Sierra and their hooves and eating habits harm the fragile environment. {#55}*

Response: There is no disagreement that stock such as horses and mules are not native to the Sierra Nevada. Past herbivory by bear, deer, bighorn, and smaller mammals and insects occurred, but at a frequency incomparable to the historic use that the Sierra Nevada received in the 1870s through the mid-20th century. Despite the poorly managed or unmanaged grazing of this time period, many of the meadows analyzed were considered suitable for pack stock use. Proper grazing practices that avoid sensitive areas such as fen and wet portions of meadows are required by the commercial users and grazing standards are applied to the proposed grazing in order to maintain or improve conditions. The fragile meadow conditions in the Dinkey Lakes Basin, and several other meadows, for example, were considered unsuitable for stock use in this analysis, due to the potential for unacceptable impacts from trampling and or grazing pressure.

Civil Rights

Public Comment #160: *The DEIS fails to identify a significant environmental justice issue that would result from the proposed action: inequitable allocation of use to commercial horsepacking outfits will disproportionately affect low-income communities. The proposed action in this DEIS would permit the proportion of commercial horsepacking use to grow relative to that of the non-outfitted public. This will exacerbate the already inequitable allocation of use between the non-outfitted public and commercial clients, such that an even greater proportion of the non-outfitted public are denied access to desired trailhead on desired dates, while those that can afford the costly services of commercial horsepackers will have little-to-no limitations on their access. Thus, low-income groups, which will not be able to afford the services of commercial pack stock operators to access the planning area, will be disproportionately affected by the proposed action, an effect that the DEIS must disclose and evaluate. {#52}*

Public Comment #161: *It's not fair to force quotas on the general public and then to exempt the commercial outfits. Singling out commercial outfitters/guide for privileges denied to the average hikers undermines the authority of the USFS and should not be allowed to preserve the integrity of the permit system for all wilderness users. {#9}*

Response: Implementation of the Preferred Alternative 3 institutes the concept of destination management in all the wilderness areas used by commercial pack stations on the Sierra National Forest. This separates commercial packer clients and the general public completely with respect to quotas. We do not agree that the action alternatives have “little-to-no” limitations. In no case has the private party or commercial non-stock quota been altered from the quotas set in the 2001 Wilderness Plan.

Public Comment #162: *To deny permit reissuance would be an act of discrimination against those folks who can't or don't walk, but have every right to enjoy lands which we all own. It was the intent of Congress to set aside these Wilderness Areas for the purpose of recreation, and recreation is important! {#59}*

Response: The effects on special populations are analyzed in the Recreation Section.

IV. Supporting Documents

Needs Assessment

Public Comment #163: *The DEIS must analyze and adopt an alternative that is based on a valid Needs Assessment. {#52}*

Response: We believe that the Ansel Adams, John Muir and Dinkey Lakes Wildernesses Needs Assessment (2005 Pack Stock Management EIS, Appendix D) and the Kaiser Needs Assessment (FEIS, Appendix D) meets Forest Service policy for the purposes it was intended. Furthermore, it should be noted that a needs assessment is not part of or a requirement of NEPA but rather a reference document.

Public Comment #164: *The Kaiser “Needs Assessment” is fundamentally flawed and must be revised to address deficiencies. The “Needs Assessment” is based on the same mythology and survey data as that contained in the 2005 Pack Stock Management EIS for the AA/JM wildernesses. That “Needs Assessment” was fatally flawed and inadequate. In addition, an independent analysis by Anthony Silvaggio, Ph.D., an expert in the field of survey research methods and natural resource management policy, identified several major deficiencies in the approach and conclusions of that “Needs Assessment”. {#52}*

Response: The commenter asserts that the Needs Assessment is fundamentally flawed, and cites to an analysis conducted by Anthony Silvaggio, Ph.D., in support of that position. The following responds to Dr. Silvaggio’s critique.

Dr. Silvaggio criticizes the Forest Service’s selection of survey respondents as being too narrow by focusing only on packstock group leaders. Dr. Silvaggio argues that the Forest Service also should have surveyed: 1) “packstock group members,” 2) “wilderness users who did not use commercial services,” and 3) “potential wilderness users who did not use the wilderness either because they could not obtain a wilderness permit or because they could not afford to purchase commercial services.” As to the first group – packstock group members – the Forest Service did not individually survey those members because it was reasonable to assume that a group leader was familiar with and understood the purposes and needs of the group he/she was leading. Therefore, surveying all group

members would have taken substantially more resources and time with little or no benefit. As to the second and third groups – the general public who either used the wilderness without packstock or didn't use the wilderness at all – the FS believes that enlarging the survey to that scale (ie, the entire public at large) would have been impractical given the limited time and resources available. The FS has been working on a tight, court-ordered timeline, and receiving responses to the limited survey conducted and analyzing those responses was quite time consuming as it was. It is entirely likely that if the FS had expanded the survey to the scope advocated by Dr. Silvaggio, the survey would not have been done and analyzed in the limited time available. Additionally, including those other segments of the population could only have demonstrated that there was a greater need for commercial packstock services than that identified. As Dr. Silvaggio notes, there are members of the public that need commercial services to accomplish their wilderness objectives, but do not obtain such services for various reasons (they cannot afford the services, the outfitters are booked during desired periods, etc.). Including such members in the survey pool would only have shown that the need for services was higher than that surveyed. To account for this segment of unmet need, the Forest Service estimated the number of such users based on interviews with those in the commercial packing field. Given the time, expense, and potential inaccuracy of the open-ended survey Dr. Silvaggio suggests, the FS believes its approach was reasonable under the circumstances.

Dr. Silvaggio also complains that the survey fails to properly assess need by too narrowly focusing on commercial packstock users and ignoring other users. However, his argument misunderstands the requirements of the Wilderness Act and the purpose of a Needs Assessment. Dr. Silvaggio states that the FS can only properly determine the need for commercial services by examining the needs of those not using commercial services. This is incorrect. Whether there are 100 or 10,000 individuals who neither want nor need commercial packstock support has no bearing on whether other individuals do, in fact, need commercial packstock support. For example, if a disabled member of the public wishes to explore a Wilderness Area and cannot do so without commercial packstock support, that individual would be determined to need commercial services. The wants and needs of other wilderness users has no effect on this determination. This is not to suggest that the wants and needs of other users are irrelevant to the Forest Service's decision on what alternative to adopt. Rather, the wants and needs of other users, and various other factors, are critical elements that go into the decisionmaking process of what is the best management scheme for these wilderness areas. These factors are explored throughout the EIS, and determining the amount of need is only one small piece of the puzzle.

Dr. Silvaggio states that the survey could have been improved by various methodological changes (e.g, using pre- and post-experience surveys, interviews, telephone surveys, use of open and closed end questions, statistical analysis, etc.). We do not disagree. Given unlimited time, staff, and budgets, the Forest Service would probably have been able to develop a better survey protocol. But, given the reality of limited time, staff, and budgets, the Forest Service conducted an informative and accurate survey. The surveys

were targeted at the most relevant population – the users of commercial services; the questions called for simple, straightforward answers with a low risk of misinterpretation; the questions were designed with the assistance of individuals experienced in social science survey design; the survey was tested with a small sample before being broadly distributed; the response rate was very high; and, there was no indication of any bias in the answers provided. Additionally, many of the improved methods called for by Dr. Silvaggio were, in fact, used (e.g., using open and closed end questions, interviewing commercial operators, having multiple people review the survey results). While additional methods could hypothetically have been added, we have no reason to believe that conducting the exhaustive analysis called for by Dr. Silvaggio would have changed the results to any significant degree. And, there is a significant likelihood that such a protocol could not have been properly completed in the time available.

Dr. Silvaggio also criticizes the Needs Assessment's use of demographic data to project future trends. However, the Forest Service believes the use of such data was entirely appropriate. Predicting the future is a difficult endeavor, and neither interviewing nor surveying current wilderness users would accurately predict what future use might be. Therefore, the Forest Service relied on demographic trends and compared the trends in society at large to the characteristics of those needing commercial services. Dr. Silvaggio asserts that such a connection can not be validly made because the written surveys did not call for demographic data. While this may appear to be the case, a close analysis reveals that it is not. The results of the survey indicated that the vast number of individuals needing commercial services were those with physical limitations (need category 1). While the survey did not explicitly call for such demographic information, the open ended questions (particularly numbers 6 and 7) yielded such information. Because the surveys indicated that the vast majority of those needing commercial services were those with physical limitations, it was entirely reasonable for the Forest Service to expect an increase in need by such individuals over time, as the number of individuals with physical limitations increases in the general public, as shown by the demographic data provided. While such a prediction is not a sure thing, it was certainly reasonable.

Dr. Silvaggio next asserts that the historic trend in stock use is downward, such that it was unreasonable for the FS to forecast a reverse in that trend in the future. However, Dr. Silvaggio again misinterprets the Needs Assessment. The Needs Assessment did not predict an increase in commercial packstock *use* in the future; it predicted an increase in commercial packstock *need*. The amount of pack stock use can be quite different from the amount of pack stock need. In some cases, use can exceed need; in others, need can exceed use. The 2005 John Muir/Ansel Adams decision is a perfect example of the latter scenario – the amount of commercial use authorized was less than the amount of need, in order to preserve wilderness character (among other things). Given that use and need are separate issues, there is no internal inconsistency in the Needs Assessment in finding that the trend of commercial packstock use has been downward while the trend of need is projected to be upward.

The Wilderness Act does not require a particular methodology to determine the need for commercial services. The Forest Service has broad discretion to determine the proper

methodology, and the Forest Service reasonably exercised that discretion here. While the survey may not have been perfect, it provided extensive, and we believe accurate, information on the extent of need for commercial services in the wilderness areas covered.

Monitoring Plan

Public Comment #165: *The FEIS should provide a detailed monitoring and enforcement plan. This plan should describe present and future management, monitoring, and enforcement measures to ensure proposed use limitations and management controls are adequately implemented. The Commercial Pack Stock Monitoring Plan developed for the 2005 AA/JM FEIS would be a useful starting point. We recommend that the Forest Service consider implementation of an adaptive management program which can respond to changing conditions. Include a list of mitigation measures that will be implemented if impacts are in excess of the allowable level of use. {#60}*

Response: The FEIS/ROD contains a Monitoring Plan. It incorporates the Monitoring Plan presented in the 2005 Pack Stock Management ROD as well as the 2001 Wilderness Plan. It adds actions for the Dinkey Lakes and Kaiser Wildernesses and non-wilderness portions of the project area.

V. Dinkey Lakes Trail Management Plan

Public Comment #166: *The Trail Management Plan for the Dinkey Lakes Wilderness appears to be appropriate. {#47}*

Response: Comments that state a position for or against a specific alternative are appreciated as this gives the Forest Service a sense of the public's feeling and beliefs about a proposed course of action. Such information can only be used by the Responsible Official in arriving at a decision and not for improving the environmental analysis or documentation.

Public Comment #167: *In short, the so-called trail "plan" is not a plan at all. It does not identify any needs or establish any priorities. It is simply a set of tables and large-scale maps that propose to designate trail locations and maintenance levels. {#52}*

Response: The Dinkey Lakes Wilderness Trail Management Plan meets the purpose and need stated in Chapter 1. "There is a need for a trail plan for the Dinkey Lakes Wilderness that accurately identifies a system of trails for all users, and appropriate trail management objectives for each system trail, consistent with the desired conditions articulated in the 2001 Wilderness Plan." Setting maintenance priorities is outside the scope of this project.

Public Comment #168: *The Trail Management Plan would result in significant adverse impacts to the wilderness character. {#52}*

Response: As outlined in Chapter 3, all alternatives provide for the preservation of wilderness character, which is mandated by the Wilderness Act. Alternative 3 provides the best opportunity for not only preserving, but improving wilderness character over time.

Public Comment #169: *In general, trails in the Dinkey Lakes Wilderness are in a degraded state causing substantial resource impacts and diminishing wilderness character, due in large part to a combination of high levels of commercial stock use and lack of sufficient funds for maintenance. {#52}*

Response: As described in Chapter 3, the cumulative effects of commercial stock in the Dinkey Lakes Wilderness are minimal, and wilderness character is preserved under all alternatives.

Public Comment #170: *All analysis of the proposed trail plan for the Dinkey Lakes Wilderness must be predicated on the recognition that trail funding levels have never been adequate to facilitate the degree of commercial packstock use that has been permitted historically. {#52}*

Response: The objective of the Dinkey Lakes Trail Management Plan, as stated in the Purpose and Need section of Chapter 1, is to identify and classify the system trails in the Dinkey Lakes Wilderness. Predicted funding is not a criterion for determining which trails should be part of the system and what management objectives are assigned to those trails.

Public Comment #171: *Table 2.17 of the “Trail Plan” (DEIS at pp. 30-33) identifies a total of 26 system trails, of which 9 would have their trail class increased from a previous designation and 10 would be added to the system. No trails are proposed to be removed from the system or have their trail class decreased, and only 2 trails totaling 1.37 miles in length (2.9% of the total system trail miles [46.9]) were rated as Not Suitable for Commercial Stock (NSCS). Instead of prioritizing protection of the resource and wilderness character, this “Trail Plan” does little more than facilitate access for commercial packstock at the expense of natural resources and wilderness character. {#52}*

Response: FEIS Alternative 3 addresses many of these concerns, and provides the best opportunity to not only provide for the preservation of wilderness character, but for the improvement of wilderness character over time.

Public Comment #172: *More trails must be designated as NRFS and NSCS. The Forest Service must close or severely limit all commercial packstock use on trails that are causing resource impacts so that problems are not exacerbated. {#52}*

Response: The Forest Service has assessed the trails addressed in the Dinkey Lakes Trails Management Plan and has determined that only the Dogtooth is at a high enough resource damage risk to warrant closure to commercial pack stations. Given the low levels of commercial pack station use in the Dinkey Lakes Wilderness and the current condition of trails in the Dinkey Lakes Wilderness, the Sierra National Forest does not

believe that additional trails need to be closed to commercial stock use in order to preserve wilderness character. To the contrary, wilderness character is enhanced in this case by protecting, “opportunities for solitude and/or a primitive and unconfined type of recreation,” which is one of the four elements of wilderness character, since the natural element of wilderness character is not being further degraded on the trails that remain open to commercial stock use.

Public Comment #173: *The “Trail Plan” is inadequate because it does not consider a range of reasonable alternatives. {#52}*

Response: The FEIS proposes three alternatives for the Dinkey Lakes Wilderness Trail Management Plan with significantly increased range of alternatives than were present in the DEIS.

Public Comment #174: *No use trails should be approved for commercial stock use. {#52}*

Response: As stated in Chapter 3, use trails within the Dinkey Lakes Wilderness were analyzed and approved only if the combination of predicted commercial stock use levels and risk factors present on the trail were assessed to have no negative effects on overall wilderness character. Where commercial stock were assessed to have a negative effect on wilderness character or resources within wilderness, use was prohibited to commercial stock. It is important to note that there is more to wilderness character than simply the undeveloped quality of wilderness character. The natural, untrammelled and “opportunities for solitude or a primitive and unconfined type of recreation” qualities of wilderness must also be considered.

Public Comment #175: *The “Trail Plan” does not include specific criteria for initiating management action if unacceptable resource impacts are identified, nor does it specify how often monitoring would be performed, and what official would be responsible. {#52}*

Response: As previously stated the Dinkey Lakes Trail Management Plan does not include maintenance activities. Its purpose is to identify and classify the system trails in the Dinkey Lakes Wilderness. All trail maintenance activities including monitoring for unacceptable resource impacts are guided by national policy and are subject to available funding and resources. The ROD does include a Monitoring Plan that identifies any specific trail monitoring objectives related to this specific project.

Public Comment # 176: *The “Trail Management Classes” (TMCs) have never undergone and formal rulemaking, and they are not included in the Forest Service Manual of Forest Service Handbook. {#52}*

Response: While the national direction regarding Trail Classes is not currently in the Forest Service Trails Handbook (FSH 2309.18), it has been interpreted as an expansion and clarification of management and design in existing similar classifications (described as “Difficulty Levels” in the 1991 Handbook). The five-level National Trail Class system was based on a long-standing five-level system used prior to 1991, and has been

in development and use since 2001, as a way to more accurately classify trails for costing and consistent management.

The Sierra National Forest described intended management for each of the Dinkey Lakes Wilderness trails in the DEIS, using the Draft National Trail Management Classes as a baseline. These were then modified slightly, to clarify specific direction for central Sierra wildernesses. Design guidance for trails within the Dinkey Lakes Wilderness was also based on the Draft Design Parameters, which take into account the Trail Class and use type in management trails.

While there are slight differences between the “Difficulty Level” system and the Trail Class system, the definition in the new system – especially as clarified in the EIS – make clear the intent to accommodate varying levels and abilities of use on trails in the Dinkey Lakes Wilderness.

Public Comment #177: *The trail plan must acknowledge that elements contained in the TMCs are inappropriate in wilderness. Trail Class 2 allows for destination signs. Trail Class 3 mandates that destinations signs will be “typically present”, that signs will be provided for “user reassurance,” that trail bridges will be constructed “as needed for appropriate access,” and that maintenance activities will be conducted for “user convenience.” The Sierra National Forest must not simply incorporate the national Trail Management Classes as written into their trail management plan, but must both modify them to make them appropriate for designated wilderness and analyze and disclose the environmental consequences of doing so. {#52}*

Response: National trail standards are designed to be used both within and outside of wilderness. Specific direction is adapted to be consistent with the protection of wilderness character on the Sierra National Forest. Trails within wilderness are never included on the system for the convenience of any user, but rather to ensure resource protection and protection of wilderness character. See discussion in Chapter 3 regarding the purpose of designating a trail system within a wilderness area, and the capacity a trail system has to preserve wilderness character. Signage within wilderness is kept to the minimum necessary to preserve the wilderness character. In other words, a proliferation of use trails created to access certain destinations would have a greater impact to wilderness character than one destination sign, which typically prevents a proliferation of use trails from forming and concentrated use on system trails. Bridges, which are also mentioned in this comment, are only installed within wilderness to protect the natural qualities of wilderness in the form of riparian habitat, erosion related to hydraulic connectivity, and water quality. In only the most severe cases of damage to these resources, when damage to the natural quality of wilderness character is assessed to outweigh the damage to the undeveloped quality of wilderness character related to installing a structure, are bridges, puncheon, causeways or any other trail platform installed within wilderness.

Public Comment #178: *To be acceptable, the trail management plan must present the following disclosures and analyses:*

1. *state how trail maintenance, as well as trail reconstruction, will be prioritized;*
2. *analyze the economic cost to upgrade all of the trails to the proposed designations, as well as to meet current targeted conditions and disclose the likelihood of having sufficient funding to perform the proposed work;*
3. *summarize historical, current and anticipated levels of funding for trail maintenance and reconstruction; and,*
4. *quantify the existing trail maintenance backlog, and how the proposed designations would affect this backlog. {#52}*

Response: These are not elements of a trails management plan. These are elements of a trails maintenance plan, which is the implementation of the trail management plan. The Dinkey Lake Trail Management Plan fulfills the Purpose and Need for the plan stated in Chapter 1.

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Appendix G: References

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